

A NOVEL BY RAUL AGUILAR

ABSENCE OF EVIDENCE

Sherman Allen Series

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Raul Aguilar

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Acknowledgments

I dedicate this book to my wife, Diane. A sweet and gentle soul who patiently stood by my side and unselfishly gave her last measure of love and life in support of my efforts. Without Diane, nothing would have been possible.

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ABSENCE OF EVIDENCE

Prologue

"Dam it Grant, you were supposed to be in charge of the preparations for the reception," said the stout muscular man pointing his finger in the face of a clearly frightened subordinate. "If I had wanted someone else to be responsible, I

would have appointed somebody else." "I am sorry Richard, I did not think it was that important and was confident that Kevan Yee could handle the matter," replied Grant Daniels, Senior Partner of *Peterson, Daniels, Rubinstein & Greene*. "I know you are retiring soon, but until you do I am still in charge and the next time you delegate something I have assigned to you, I will have your ass," said Richard I Peterson, Managing Partner of *Peterson, Daniels, Rubinstein & Greene*.

Grant Daniels resented Peterson treating him like a lowly associate after all of his years of hard work and dedication to the Firm, but since Peterson was the major rainmaker of the Firm and responsible for almost all the new business developed for the Firm, he was above criticism. Under Peterson's direction, Grant Daniels' partnership income exceeded \$2 million a year and he had exclusive control over the financial infrastructure of the Firm. "I understand your protégé, the good Judge Catherine Letterman will be here tonight. I expect that you will spend all of your time introducing her to our clients," said Peterson. "I want our corporate and business clients to see her and understand our relationship with the darling of the Republican Party in Los Angeles." Peterson spotted a client and his wife entering the reception and leaving Daniels without waiting for a response.

Grant Daniels was impeccably dressed in a dark navy blue pinstriped suit. His 6-foot frame supported a corpulent 275-pound body and an oval head with a receding hairline. A pair of wire-rimmed glasses, which he believed made him look stylish, divided Daniels' chubby face. His job over the years had been to handle all the administrative paperwork relating to the clients brought in by Peterson. This included everything from personal injury litigation to corporate acquisitions. Although the corporate work made excellent money and generated a substantial portion of the Firm's business, the litigation business was the real moneymaker. Peterson was responsible for this segment of the Firm's business.

Grant Daniels lacked any personality and, no matter how hard he tried, he was never able to develop the type of client relationships that Peterson could so

effortlessly create. It was not unusual for a client to listen to Daniels' explanation of an issue and then ask whether it would be possible for Peterson to handle the negotiations. As Daniels watched Peterson work his charm on the clients as they entered the reception, he thought to himself, "Only six more months and I will be able to retire and all of this will be behind me."

"Judge Letterman," Daniels heard Peterson exclaim loudly enough for everyone in the crowd to hear. "There is my cue," Daniels thought to himself as he rushed over to the entrance of the reception. "Catherine," he said, as he extended his hand to the good Judge, an attractive redhead with a trim athletic figure. With an almost imperceptive smile, the woman replied "Grant, how nice to see you again. Later, when you have a chance, I would like to talk to you privately about a call I received from the Republican Central Committee." "Certainly Catherine, let me introduce you to some of our guests." Grant Daniels spent the next hour introducing Judge Letterman to every important Firm client and attempting very hard to be charming and gracious.

Daniels was aware that Judge Letterman was under considerable stress in that the two powerful senior senators from the State of California were disputing her appointment by the President of the United States to the State Appellate Court. In a moment of extreme weakness, Judge Letterman had confided to Daniels all of her frustrations with her work as a judge, the demands of the Republican Central Committee, her feelings that her career had stagnated and her resentment of her wealthy husband having a long-term affair with his secretary. Daniels represented the Republican Central Committee in California and had, over the past 15 years, worked closely with Judge Letterman for conservative Republican causes.

Recently, Daniels had prevailed upon the Republican Central Committee to have the President of the United States appoint Judge Letterman to the appellate court bench. An appointment to the appellate court bench was for life. It would be the highlight of her career and reward her for all the work that she had done for the Republican Central Committee. "I think she is close to a nervous

breakdown," Daniels thought to himself as he watched her throughout the evening. "If she does not get the appointment to the appellate court, she will drown in frustration. Maybe even resign or retire as a judge of the Superior Court."

The dinner after the reception had been a Partnership Committee affair in a private room at the Grand Casino off the Las Vegas strip. All of the senior partners of *Peterson, Daniels, Rubinstein & Greene's* US offices were in attendance and were treated to a three-hour, seven course dinner personally prepared by the Grand Casino's Cordon Bleu Chef, Jon Marquis. Notwithstanding the drinks at the reception, dinner started with cocktails and proceeded with five separate varieties of rare and expensive wine. By the end of the last course, a very attractive young redhead asked her escort impishly, "Do they have anything other than ice cream for dessert?" Peterson overheard the remark and called the maître d' over and asked "This lady would like something other than this elegant crème brûlée and eh .. This ice cream dish. What else do you have?"

The maître d' read off a list of desserts ranging from fruit tarts to a baked Alaska. Peterson turned to the young lady and said, "Did you hear anything you liked?" The redhead nodded her head and asked, "Would you have a Grand Marnier soufflé?" The maître d', slightly taken aback, replied, "It is not on the menu." Peterson took a sip of his scotch, cleared his throat and said, "Does this mean that the renowned Chef Jon Marquis cannot make a Grand Marnier soufflé? Perhaps we should change the reservations for the rest of the week to another casino with a better cook." "Oh no," said the maître d', "it is only that it will take at least 20 minutes to make." "Good," said Peterson, "We will wait. We do not want to disappoint this young lady." The maître d' looked around the table, counted the crowd and rushed back to the kitchen.

It appeared that the cute little redhead was not through. Looking directly at Peterson she said, "May I have an after dinner drink, a Port?" Peterson was fond of people who were not afraid of him. Although he had probably more than

enough to drink to make it illegal to drive in several states, he smiled and said, "Bring us some of your best Port. And some fine cognac." A few minutes later, a waiter appeared with a cart holding several dozen bottles of various shapes and sizes. "What type of Port would you like?" asked Peterson of the pretty redhead. "Why are the bottles almost empty, don't they have any fresh Port?" she asked with a sly grin pointing at one of the bottles.

The waiter smiled condescendingly and said, "That is a 200-year-old Napoleon Port and it is \$400 a glass. It is very rare." With a smile that radiated grace and charm, and probably too much alcohol, she looked at Peterson and said "May I have a double." Peterson started to laugh. He laughed so hard that he started to cough and had to contain himself. "I believe that I will have a double also," he said still choking back peals of laughter.

With exaggerated fanfare, four tuxedo clad waiters arrived carrying the delicate soufflés to the table. Peterson, sipping his third double Napoleon Port, stood unsteadily from his chair and said "I have not had this much fun in years. Thank you all for coming." After the soufflés were finished, Peterson stood up from his chair again and started to say something. After a moment or two, he smiled, started to say something again and then collapsed dragging the tablecloth with him and spilling cups, plates and silverware all over the floor. For Peterson, a minor, painless but fatal, heart attack had brought the party to an end.

After the funeral, the standing committee of the 200-lawyer Law Firm came to Grant Daniels and asked if he would act as the Firm's interim Managing General Partner while they squabbled among themselves as to who would be elected as the Law Firm's permanent Managing General Partner. As Peterson's immediate subordinate, Daniels was the only partner who understood the Firm's vast financial operations and the infrastructure of all the Firm's offices throughout the country. More importantly, he was going to retire in a few months and he would not have any designs on a permanent appointment.

Almost immediately upon assuming the leadership position, Daniels became aware of the Firm's unsteady financial position. The Firm's operations

were spending as much on salaries and overhead as they were taking in attorneys fees. "This explains why Peterson was so concerned about developing new clients and his agitation at the reception," Daniels thought to himself. Everything was in perfect balance, but any change in the income of the Firm would have to be made up by borrowing against the Firm's various lines of credit. "All I have to do is maintain the status quo for a few months and I am out of here, safely in retirement," he thought smugly.

Within weeks of Peterson's death, Daniels started to receive reports that several major clients of the Law Firm had gone to other Firms. In order to meet the Firm's overhead, Daniels began to draw from the Firm's lines of credit. It soon became clear that if the Law Firm continued to lose clients, and their substantial legal fees, the Firm would start to collapse and ultimately go bankrupt. For the next several weeks, Daniels spent almost all of his time going through reports and watching the Firm's cash flow slowly diminish. Daniels had difficulty sleeping, eating and was becoming irritable at the slightest provocation. He needed to find a solution and he needed to find it immediately or his personal financial future would be in jeopardy.

"The President's staff has made its decision. The opposition of the Senator from California is too strong. The President has decided to withdraw the nomination," said the voice over the phone. "Henry, Judge Letterman has worked tirelessly on the Central Committee's projects over the past 15 years and has championed unpopular causes without question. Is there anything you can do to have the staff reconsider their decision?" pleaded Grant Daniels. "Sorry Grant, we did what we could. Maybe we can get the President's staff to consider another less controversial appointment. Let me see what I can do, but this deal is not set in stone."

The idea came to Grant Daniels as he sat having dinner with Judge Letterman and listening to her complain about the large salaries that the lawyers appearing before her were paid compared to the salary of a Superior Court Judge. She was close to a nervous breakdown and was starting to ramble about

how her decisions made tens of millions of dollars for one side or the other and that she really did all the work for both sides when she issued an opinion supported by her research on the applicable law. "Isn't it the responsibility of the lawyers arguing the case to do their own homework?" she asked. "If it was not for having a rich philandering husband, I could barely make a living or even save for any meaningful retirement...", she said as her voice trailed off.

"Catherine, do you recall those judges in San Diego who were taking kickbacks on cases a couple of years ago. They took a huge risk for a few thousand dollars. What if they had simply made a ruling in favor one side or the other which would ultimately be overturned by the appellate courts in exchange for let us say \$15, no \$25 million," said Grant softly. "Let us say, the money were untraceable and that only two people would know about the ruling?" Judge Letterman was on her fifth Martini and said, "Something like that would only work in the absence of any evidence respecting the ruling. If the funds were untraceable and only two parties had the information, there would be no evidence with which to convict." Grant Daniels watched her face intently and thought that he saw a glimmer of understanding in her eyes. "I will be damned," he thought to himself. "I think these drinks are starting to get to me. Please ask the maître d' to call me a cab," she said, slightly slurring her words.

Grant Daniels sat at the bar for another two hours thinking about what had transpired and trying to remember the Firm's cases currently pending before Judge Catherine Letterman in the Los Angeles Superior Court. Even though he had at least five more drinks, his mind was crystal clear as he considered the various possibilities and the arguments for and against the idea that was slowly solidifying in his head. "It all turns on the evidence," he thought to himself.

[Chapter 1- Desperate Lawyer](#)

Grant David Daniels walked briskly down the path toward the beach. Daniels corpulent body struggled as he sank into the soft sandy beach. He could feel the sand dribbling into his expensive shoes and working its way down to his

toes. Grant hated Hawaii. It was too warm and too humid for his comfort. Beads of perspiration were forming on his forehead and the perspiration was starting to run uncontrollably down his back. He was only halfway to the beach. Grant was uncertain whether it was the temperature, the tension caused by the deteriorating financial condition of his Law Firm, or having to face Judge Catherine Letterman ,that was making him sweat. Grant was the bearer of bad news and uncharacteristically had made the fatal decision to use the misfortune of another person to further his own personal financial position.

Daniels, by default, had recently become the Senior Managing Partner of a prestigious 200-lawyer California Law Firm. Until the unexpected death of Richard I. Peterson, the former Managing Partner, the Firm was making in excess of \$1 million per partner in profits. Unfortunately, for the other partners, Peterson was the major rainmaker of the Firm. Peterson was responsible for 60 percent of all the new business developed by the Firm, and the only partner who had the confidence of all of the Firm's largest clients. Within a month of Peterson's death, a significant number of clients had started to transfer their legal business to other Law Firms. Grant Daniels was a practical person. He soon came to the realization, and fully accepted the fact that his basic personality alienated most of the clientele of the Firm.

His dead partner's charm and grace had provided a steady stream of business clients with problems ranging from corporate acquisitions to personal injury litigation, business which generated tens of millions of dollars in legal fees. These accounts were usually large litigation cases against persons or companies with deep pockets lined with money from large policies of insurance. Grant Daniels' efforts to assure the Firm's clients that their interests would continue to be protected and advanced by the Firm, only revealed Daniels' lack of understanding of his clients' businesses, and the impact which the Firm's legal decisions would have upon their companies' business. The result of Daniels' insensitivity was a growing trend of clients abandoning *Peterson, Daniels, Rubinstein & Greene* to attorneys at smaller Law Firms who had already

developed personal relationships with the younger management within the client companies themselves.

Grant Daniels had been six months short of retirement when Peterson died. In anticipation of that retirement, Daniels had been slowly closing out his case assignments and transferring responsibilities to junior partners and associates. Daniels had been concentrating his efforts on promoting the Firm to the Los Angeles Republican Party political machine and looking for seats on various boards of directors, whose handsome stipends would nicely supplement his retirement payoff from the Firm. As a sitting member of the Board of Directors of a company, Daniels would be able to use his position to refer business to the Firm and the Firm would promote him to its other clients as a board of director's candidate.

Peterson's death had put a serious crimp on Daniel's plans. Daniel's basic nondescript personality made it impossible for him to bond with Peterson's clients; the result was the growing exodus of clients from the Firm. Suddenly placed into the leadership position by the other partners, it became apparent to Daniels that the Firm's cash flow would soon become a serious problem. He was the only partner with the technical knowledge of the Firm's vast financial operations, the only one with enough control of the management of the Firm's offices throughout the country and the only partner positioned to fix the financial problems he had inherited.

Grant Daniels understood clearly what was happening. There was an immediate and urgent necessity to generate sufficient new business income to feed the 200 hungry lawyers who collectively gave the Firm its reputation for aggressive representation. The Firm was top-heavy with senior partners and profit sharing middle level partners drawing large salaries. Minor shifts in workflow directly affected the cash flow of the Firm. The partners would tolerate anything except any diminution in their compensation. As long as the Firm's workload resulted in a positive cash flow over the long term, the difference in income could be made up from the Firm's cash reserves.

Unfortunately, the dwindling reserves of the Firm were reaching a critical stage and Daniels knew that a major infusion of cash was necessary to the long-term survival of the Firm. Daniels had invested carefully and had a substantial portfolio of securities; however, he still had contractual financial obligations to the Firm and if it ran into financial problems, his partnership interests required that he personally make substantial cash payments to the Firm. If the Firm went down before he severed his partnership obligation by his retirement, he would be ruined financially. Daniels needed time to turn over the responsibilities of Managing General Partner to someone else and get out financially intact.

Unable to stem the client exodus, and acutely aware of the significant depletion of the Firm's cash reserves, like a gambler on a losing streak, he decided to make one last desperate attempt to get cash sufficient to buy time. He needed to terminate his financial obligations now and distance himself from the Firm. After considerable soul searching, Daniels had seized on an idea involving a large complex litigation case, which he had filed against 30 large California insurance companies, a lawsuit which had been pending for over four years. A judgment in favor of Daniel's clients would generate legal fees in the neighborhood of \$100 million.

The litigation had been expensive and hotly contested. It should have been resolved in favor of Daniel's clients' years ago. Unfortunately, for Daniels and his clients, the insurance companies had retained the Law Firm of *Allen, Peterson & Stein*. The lead attorney, Sherman Allen, and his legal staff had skillfully prevented *Peterson, Daniels, Rubinstein & Greene* from securing a judgment against the insurance companies. *Allen, Peterson & Stein* was poised to win the litigation based upon a series of legal maneuvers which Sherman Allen, the lead trial counsel, had set in motion a year earlier.

Daniels knew that if the litigation was lost, not only would the Firm lose one of its largest clients, but it would have to eat \$16 to \$20 million in Firm resources based upon the time, effort and out of pocket expenses which had been spent by the Firm's attorneys on the litigation. Only he knew with absolute

certainty that this scenario would devastate the Firm and potentially drive the Firm into bankruptcy. The crush of all of this pressure on Daniels precipitated an idea which would have the effect of shifting the advantage of the litigation in favor of his clients and ultimately to *Peterson, Daniels, Rubinstein & Greene*. Under different circumstances, Daniels would have recoiled from the concept alone; however, the future of the Law Firm no, his financial future depended upon the infusion of cash gained from prevailing in the litigation against the insurance companies.

Grant Daniels was fond of saying; "Everyone has some larceny in his heart." Grant Daniels was neither an evil man, nor a dishonest man; he was simply a desperate man. He had decided to take advantage of another's misfortune to save his financial future and that of his Law Firm. The \$100 million cash infusion into *Peterson, Daniels, Rubinstein & Greene* would give him time to develop other sources of income for the Firm and allow him time to shift his responsibilities to the other partners. He could walk away financially secure and enjoy the retirement which he felt he deserved. After considerable thought, Daniels had decided that there were at least two partners greedy and trustworthy enough to help him in his endeavor. It was critical that he personally not be involved in the details. If anything went wrong, Grant Daniels wanted to be in a position to deny any involvement, even if it was his brainchild.

As Grant approached the beach, he saw the two women sitting at a table covered by a bright green umbrella. The younger one, a slender young dark-haired Asian girl, got up from her chair, reached over and put her arm around the older woman. She gently kissed her cheek, turned and walked in the direction of the surf. The older woman watched as the slim Asian woman dove into the water and swam out to a floating dock twenty yards from the beach. Grant recognized the young woman as the Honorable Judge Catherine Letterman's court reporter, Linda. Grant slowed his pace and approach the table unnoticed by the older woman. "Good morning Judge," said Grant, "Do you have a few minutes to talk?"

Judge Catherine Letterman was a 55-year-old prodigy who had never been able to recapture the successes or accomplishments of her youth. Over the past several years, she began to acknowledge that she would never accomplish the goals that she had set for herself so many years ago. Like many highly intelligent people, her efforts to achieve success had taken her youth. Burning with the brilliance of the sun for a short period of time, she had grown older and the light from her brilliant career had begun to fade. Her career began to blend into a common mediocrity. As a young attorney, she captured the attention of the conservative faction of California's upper crust, and most importantly the Los Angeles Republican party, by successfully defending conservative causes. She had secured several spectacular legal decisions advancing the law denying abortion rights to unwed mothers. She made as many enemies as advocates by her legal victories.

In a rare California Republican administration, the California Republican Governor appointed her the youngest woman Judge in the Los Angeles County Superior Court and the local Republican Party made her the most sought after speaker at conservative fund raising breakfasts, luncheons and dinners. As the State's administration changed to a democratic controlled legislature and a democratic governor, young Judge Letterman alone stood out as the champion of conservative causes, especially against the relaxation of the laws against abortion. After fifteen years of a distinguished judicial career on the Los Angeles County Superior Court and, after the election of a Republican President and Senate, she was on the short list for appointment to the lifetime position of a United States Court of Appeal Justice.

Unfortunately for the good Judge, two female Senators from the State of California, were liberal democrats who had been strong pro-abortion advocates for years and, notwithstanding the fact that Judge Letterman was a woman, they had made it clear that based upon Judge Letterman's judicial philosophy, they would actively oppose her nomination to the United States Court of Appeals. The two Senators were going to do everything in their power to keep the good

Judge off the Federal Bench and insure that Judge Letterman would spend the balance of her judicial career as a Los Angeles County Superior Court Judge where she could not affect the pro-choice causes. Judge Letterman's came to the realization that her rising star had started to fall.

[Chapter 2 - Sherman Allen](#)

"All of you have read the Judge's tentative ruling. Does anyone have any new ideas with respect to the argument tomorrow?" asked Sherman Allen of the assembled group of attorneys and paralegals. The question was rhetorical. Sherman Allen did not believe in last-minute surprises. His career had developed by always being fully prepared, well before any arguments were presented to a Judge.

The ruling on the pending Motion for Summary Adjudication in *Cartwell Construction vs Integrity Insurance Company, et al.*, represented the culmination of four years of litigation, attempting to clarify the impact of a series of combined mold exclusion lawsuits against 30 insurance companies represented by Sherman Allen's Law Firm, *Allen, Peterson & Stein*. Opposing counsel, *Peterson, Daniels, Rubinstein & Greene*, was one of the largest most well respected Law Firms in Los Angeles, employing over 200 lawyers and representing many wealthy conservative Republicans, and other influential Los Angeles County clients.

The plaintiffs were seeking in excess of \$200 million in damages against Allen's clients by attempting to invalidate language excluding coverage for building mold damage set forth in the insurance policies issued by a majority of the insurance companies in the State of California. Allen's Firm represented 30 of the insurance companies whose policies contained the mold damage exclusion. These were wealthy companies, which represented a deep pocket for the payment of plaintiff's claims.

The complaint had been designed to harass the individual insurance companies into settling the litigation and avoid bringing their reputation into

question in the public's eye. The plaintiffs had assumed that no individual insurance company would want to sustain a prolonged defense and would quickly capitulate and offer money to make the litigation go away. Unfortunately, the chief executive officers of the various companies met and ultimately converged into a group of 30, who banded together to pool their financial resources and seek legal counsel to protect their interests. As committees generally do, they made the decision to engage a prominent local attorney with limited resources to oppose the litigation.

After 16 months, the litigation was going nowhere, and the local attorney for the insurance companies found himself overwhelmed by the paper onslaught generated by *Peterson, Daniels, Rubinstein & Greene*. After severe soul-searching, the local attorney decided to recommend to his clients an attorney who he felt was able to defend the litigation aggressively and who had the necessary resources to bring the matter to a successful conclusion. That attorney had been Sherman Allen, a 60-year-old lawyer based in San Francisco, the senior partner of *Allen, Peterson & Stein*, which conveniently had offices in Los Angeles.

After an additional three years of litigation, the issues had been crystallized and both sides were in a position to resolve the litigation as a matter of law. Sherman Allen was confident as to his legal theories and had great respect for the intelligence and understanding of the issues by Judge Catherine Letterman, the Judge assigned to the litigation. He had fully expected that she would rule in favor of the insurance companies and end the litigation. However, the tentative ruling on the law was against Sherman Allen's clients.

This was a surprise. Allen believed the Judge was confused about some of the factual issues and was confident that he could convince her of the incorrectness of her decision. All the necessary papers had been filed with the Court by both sides and Sherman Allen called a staff meeting that was designed to assure him that nothing had been forgotten or overlooked. Equally important,

the meeting was intended to maintain the momentum and the moral of all the legal staff who had been working on the project for all these years.

"Anthony, I want you to be present at the oral argument tomorrow. The issues are clear. I will answer any questions, which the Judge may propose and respond to any arguments that the plaintiffs may raise. I do not anticipate any surprises and, with any luck, we should be able to report to our clients the ultimate success of our efforts on their behalf." Addressing the staff, Sherman said, "As all of you know, Anthony has devoted more than 50 percent of his time over the past three years towards this litigation, and I want him to share in the final arguments and success of our efforts."

Anthony smiled and thought to himself of the 20 file cabinets filled with documents relating to this litigation, documents which he alone could assert he had read and organized. So much time had gone by since the litigation started that two of the secretaries in the San Francisco office who had been working on the project, had gone to law school, taken the California Bar examination and would be employed as lawyers by the Firm before the decision on this case would be rendered. Anthony was pleased that Sherman wanted him present at the hearing where the final arguments to the Judge would be made.

After the staff meeting, Sherman asked Anthony Fortino into his office to personally thank him for all the hours he had devoted to the litigation, an effort which Sherman felt was above and beyond the call of duty. Anthony had contributed significantly to accomplish what Sherman anticipated would be a major victory. "Why do you think that plaintiffs have been so aggressive in pursuing this litigation against the insurance companies?" asked Anthony. "Granted, we're dealing with claims in excess of \$200 million; however, they have spent over four years pursuing this litigation fully aware of the exact same law as we are."

"Well, originally I thought that Peterson was expecting the quick kill," said Sherman, taking a sip from a cup containing yesterday's coffee. "The insurance companies relied upon approval of the mold exclusion language approved by the

Insurance Commissioner and focused almost entirely upon protecting their reputation and did not aggressively focus their energies on the litigation itself. It was easier to try to buy their way out of the litigation than to aggressively defend it. Most insurance companies do not want exposure to potentially large judgments, so, if they can buy their way out, they are willing to do so. Unfortunately for plaintiffs, when we became involved we were able to counter every effort made by them to coerce a settlement that was unfair to the insurance companies, even on a nuisance basis. After a while, plaintiffs had spent so much money and effort in the litigation that they could not back out. Only a victory would allow them to recoup their investment in cash and attorney resources," said Sherman.

Anthony enjoyed listening to Sherman's analysis of a case. It was always detailed, complete, and, by examining the larger picture, Sherman would isolate forces outside of the law, which drove the litigation to a particular result. "What do you think the impact of the Judge's decision tomorrow will have on plaintiffs?" Anthony asked. Sherman considered Anthony's question and said, "I don't believe the impact on the plaintiffs will be much; however, the impact upon the Law Firm could be substantial.

Peterson's Law Firm has invested in this litigation at least \$7 to \$10 million in legal talent and has billed the clients another \$2 million in out of pocket costs. Even for a firm of that size, a \$12 million write off due to an adverse judgment tomorrow will not be a healthy situation. If the Firm was suffering similar financial problems in other areas, it could devastate them. 200 lawyers are a lot of mouths to feed. Equally important, is the loss of confidence by the other clients by what could be perceived as a substantial defeat, especially in view of the recent death of Peterson, the Firm may have problems. Anthony admired Sherman's confidence, in the face of a tentative ruling against him, Sherman was confident of victory. Anthony looked forward to the arguments that would be addressed to the Judge.

Sherman liked Anthony for his ability to get the job done. Anthony could

always be counted upon to complete a project quickly and accurately with little or no direct supervision. In the ten years that Anthony had been working with Sherman, he had grown to be Sherman's right arm in all matters, whether they were corporate or litigation. Sherman gave Anthony one of the largest offices in the building and allowed him to share in all legal victories of the Firm in order to enhance Anthony's reputation as an attorney.

Secretly, Sherman hoped to leave the Firm to Anthony after he retired, taking a modest salary and remaining as a consultant to the Firm for a few years. Anthony had the ability to perform any function in the Firm, although it appeared to Sherman that Anthony was not particularly interested in the Firm's management or developing as a rainmaker for the Firm. Sherman believed that after a few years, Anthony would see the enormous benefits, prestige and income that are derived from the management of a successful Law Firm. Perhaps after Anthony's children were grown and out of school, he would be willing to undertake that type of responsibility.

"I will have to return to San Francisco right after the hearing. If the Judge rules from the bench have someone wait for the Judge's order," said Sherman. "I will stick around and get the order myself," replied Anthony. "I would not trust anyone else to see through this final act in the litigation." "All right," said Sherman, "I have a number of matters which will keep me out of the office. I will see you in Court Friday morning."

[Chapter 3 - The Dye is Cast](#)

Judge Letterman stared at Grant Daniels intently. There was no expression on her face as she said casually "You do realize that I hold your entire career and that of *Peterson, Daniels, Rubinstein & Greene* in my hand at this very moment. If I agree to your proposition, and if there is even the slightest hint of impropriety, my career, for whatever it's worth, is garbage." Daniels' face was devoid of emotion, although she could readily see that his skin had turned pale

and his breathing was controlled. This was after all the moment of truth. If she accepted Daniels' proposition, there was no turning back.

She hated the system. She had worked tirelessly from the time she was 18 years old and what did she have to show for her efforts? A Los Angeles County Superior Court Judge's salary was only \$150,000 a year, barely the starting salary of many young associates 25 years younger than her. She despised Grant Daniels, whose annual base salary was in excess of \$500,000 a year and who spent most of his time sucking up to wealthy Los Angeles clients and rarely did any legal work himself. It simply was not fair.

She knew she had made up her mind weeks ago yet she had delayed her decision only to consider every possibility, which might reveal her criminal activity. Grant had given his assurance that no more than one other person would have any knowledge of the transaction. A person that Daniels asserted he had under his thumb. A person that Daniels would richly reward and a person who would go directly to prison if any of the information was about the payoff to the good Judge was uncovered.

She was tired of the long hours she was required to devote to her work. She envied the poorly prepared lawyers that constantly appeared before her and all earning hundreds of thousands of dollars a year for their ineffective efforts. Daniels was right. She had been nominated to the Federal Appellate Court by the President of the United States. A high compliment for all the work and effort she had put into being the best conservative Republican Judge in Los Angeles County.

All the time and effort, staying up late after all the parties, getting up early to have breakfast with people that might help her career, all that effort wasted because of conservative positions she had taken 20 years ago which did not appeal to the Senior Senator from California. The high compliment by the President did not buy the \$2 million home in Beverly Hills, the expensive cars that she craved, or the simple opportunity to lie on the beach and enjoy herself.

She was being asked to issue a decision favorable to Grant Daniel's client in

exchange for more money that she would ever earn in two lifetimes. The issues in the litigation were close and she could, without drawing excessive attention to herself, rule in favor of Daniel's clients. She thought about opposing counsel in the litigation, Sherman Allen, and knew that he would see through her reasoning and would appeal her ruling and probably get a reversal. Assuming the insurance companies were eventually successful on appeal, what harm was it to accept \$25 million to give Grant Daniels and his Law Firm a temporary victory. Sherman Allen was a very bright attorney, as good a lawyer as had ever appeared before her in the last 15 years. He would take the ruling against his clients personally, challenge it, and ultimately out-lawyer Grant Daniels and his cronies. Assuming there was no risk. Why not take the money?

Then there was Linda. At 55, it was clear to the Judge that the attraction that Linda had for her was primarily because she was a Judge and that the attraction would change as the Judge grew older. The money would insure that Linda would remain faithful and willing to please the Judge after the Judge retired. Twenty-Five million dollars would buy a lot of affection from Linda.

The Judge's husband had never been very interesting to her. She married him because he was handsome and came from a very wealthy, politically connected and highly influential conservative Republican family who pretended to adore her. The family did not hold the Judge's humble origins against her, but never really accepted her into their lifestyle. Working all the hours she did limited her time for socializing with them. What little spare time she did have went to working with the Republican Party contacts which the family acquired by their wealth in trying to advance her career. Her efforts resulted in being the youngest Judge ever appointed to the Los Angeles Superior Court in the last 25 years. Anyway, her husband had probably loved her for a year or two, but being left alone to play turned his attention to other women.

The Judge knew that for several years her husband had been keeping his former secretary in an apartment in Malibu and would spend his so-called "golf outings" during the week playing "house" with his former secretary. The Judge

was 55 years old and given the recent developments about her appointment to the United States Court of Appeals, it was time to change her life. Twenty-five million dollars would make that transition easier. She knew how, and was not afraid, to make the hard decisions, nor was she timid about following through with action.

"All right, Grant, I agree. I will do it," she said forcefully. "However, I intend to prepare a letter to the Judicial Council and to the California Attorney General outlining your proposal and outlining all of my efforts to attempt to secure written evidence of your conduct. Should anything go wrong, regardless of where I may be, the letter will be hand-delivered to the Judicial Council and the Attorney General and it should have sufficient impact to send you to jail and make me a heroine. After all, a girl has to protect herself," she said without a smile.

"How will I know that the funds have actually been transferred? I do not want to show up in Monte Carlo and find that no transfers have actually been made or that the transfers have been delayed," asked Judge Letterman. Grant Daniels studied the Judge, thought for a moment, and finally said, "I can give you an account number in the Grand Cayman Islands and a PIN number so you can monitor the various cash transfers.

Our plan is to divert monies in small amounts from the Firm's numerous accounts to a single account. As they accumulate, we will wire transfer the funds in increments of \$5,000,000 through the international banking system, making the transactions invisible. Immediately after the last transfer, each bank account will be closed and the paperwork destroyed by our agents in South Africa, Grand Cayman, and Monte Carlo. The source of the funds can never be traced back to the Firm's bank accounts or to you. You can monitor the account transfers through the internet without any chance of discovery. Will that be satisfactory?" asked Grant. "Yes, that will do," said the Judge.

"Nothing will go wrong," said Daniels. "There is nothing on paper. The money will be run through several unrelated foreign banks from a number of the

Law Firm's bank accounts throughout California, London, South Africa, the Cayman Islands, Germany and ultimately to Monte Carlo. There is no possible way that the account numbers of any of these banks can be traced to each other. Ultimately, you will have the only access number to the \$10 million in cash in the Monte Carlo bank and, as agreed, I will have \$10 million in fully negotiable German Bank Bearer Bonds and \$5 million in uncut South African diamonds delivered to you personally in Europe. I have looked at this problem from every possible direction and I'm staking my career that nothing will go wrong." Daniels arose from his chair and walked over to the Judge, looked at her directly in the eyes and said, "Nothing will go wrong."

Grant Daniels softened his tone and said, "Judge, you will not see me again for a while; however, I will come by after the ruling and announce my resignation as the managing partner of *Peterson, Daniels, Rubinstein & Greene* and name a new managing partner. I will continue to direct the activities of the Firm from the sidelines for a few months and then retire completely. A court pleading under the heading of *Henderson vs. Anderson* purporting to be a report to the court on certain discovery documents will contain an exhibit with the account and pin numbers to the Barclays Bank Cayman bank account in the Cayman Islands. It will be placed in your Court's in-box on Friday, at exactly 4:30 in the afternoon, shortly after you have announced that you have taken the matter under submission.

If anyone else picks up the document, it will appear as an ordinary court filing of an active case in the next Courtroom." Grant drew initials on the sand and said, "These are the symbols which will identify the bank account and the pin number." The Judge nodded and wiped the sand smooth with her hand. "The bonds and diamonds will be delivered to you in exactly two weeks, and the cash transfer will take place the same day in Monaco. George Rubinstein will contact you in Monte Carlo. Only George and I will have any knowledge of the transactions and only George will know the transfers and other arrangements. When contacting you, he is under instructions to be discrete and brief. His

reward will be full partnership and my endorsement to replace me as Managing Partner."

"Thank you Catherine," said Daniels, "Your assistance will save my Firm. If it is any consolation to you, I have never, in all my 30 years of practice, done anything like this before. I realize that I have taken advantage of your personal circumstances to preserve my Law Firm; however, I have always held you in the highest regard and apologize to you for placing you in the position I have." "Let's not be too sanctimonious, Grant," she said, "If I had any real moral backbone, I would have reported our first conversation to the Attorney General, and you would probably be serving a 30 year sentence in prison with drug dealers, rapists, murderers, and other unsavory characters."

Whatever reasons you had, or have, did not have any impact on my decision. After years of telling clients and lawyers to obey the law, I have knowingly decided to violate the law in the most egregious manner. Let us hope that our collective intelligence will allow us to accomplish our endeavor and that, in our own way, we can live happily ever after." The Judge stood and held out her hand. Grant Daniels grasped her hand, shook it softly, and was surprised at how cold it was. He noted that she spoke without warmth or emotion. "Thank you anyway," said Grant Daniels as he turned sweating profusely and walked slowly back to his room to pack and return to Los Angeles.

[Chapter 4 - Final Details](#)

"Can you believe it? That bitch blocked my nomination by simply refusing to acknowledge its existence. All the effort, all the work, all the sucking up to worthless, wealthy Republican socialites, and the President of the United States does not have the courage to pull strings and force my nomination. What a worthless human being," Judge Letterman raged at Linda. The Judge's face was red with anger, and there were tears streaming down her face. "Twenty years of work and dedication for nothing," she said.

The Judge had been brooding for weeks over the fact that the President had withdrawn her nomination for a lifetime appointment to a federal judgeship and, now, after months of waiting, the President had called her this morning and offered her a minor cabinet position as a consolation prize. Her tears were streaking her makeup and it was starting to run down on to her black judicial robe. Linda, her court reporter, a striking 25-year-old Eurasian girl with long black hair falling to the small of her slender back, tried to wipe the makeup and the tears running down the Judge's robe. In frustration, the stenographer quit wiping and threw her arms around the Judge, kissing her eyes and cradling her in her slender arms. After awhile, the Judge stopped crying and the young woman kissed the Judge on the lips and said "Calm down. I will get you a clean robe. You cannot let them see you this way. You must be strong.

The Judge put on the clean robe, dried her eyes and brushed her dark red hair. "Thank you Linda. You are always there for me." The young girl smiled and said, "I better get to my post," and left the Judge's Chambers. The Judge gathered several file folders under her arms, walked to the door, stood for a moment, opened the door and walked defiantly into the Courtroom.

"All rise," said the Bailiff. All of the attorneys in the Courtroom stood following the thousand-year-old ritual to show the Judge respect. "*Cartwell Construction vs Integrity Insurance Company*", called the Bailiff. Judge Letterman looked down at the lawyers and said tersely, "Counsel please identify yourself for the record". Eight sets of attorneys dressed in traditional dark business suits, proceeded to give their names and the names of the clients they represented in the litigation. "Grant David Daniels and George Rubinstein of *Peterson, Daniels, Rubinstein & Greene*, for plaintiffs," said Grant Daniels. "Sherman Allen and Anthony Fortino of *Allen, Peterson & Stein* for numerous defendants," said Sherman.

The Judge watched George Rubinstein, a 5' 6", 185 lbs, 55-year-old man with salt and pepper hair, wearing dark horn rimmed glasses. The former federal prosecutor and equity partner in *Peterson, Daniels, Rubinstein & Greene* was

both ambitious and obsequious. She found it hard to believe that he was a former policeman. She said, "Mr. Rubinstein, I have read all of the pleadings and the points and authorities the parties have filed in support and in opposition to the pending motion. Do you want to add anything to your opposition to Mr. Allen's motion?"

George Rubinstein took the lead in the arguments, occasionally consulting with Grant Daniels to make a point. Sherman Allen argued with the Court's reasoning, bringing to her attention facts and the application of the law to the facts, which he argued, compelled a decision in his clients' favor. Occasionally the Judge would ask why a particular principal of law was not applicable or applicable. After about an hour of argument, the Judge asked the parties, "Is there anything else the parties would like to address the Court, Mr. Rubinstein?"

"No your honor," replied George, "However, I believe that at this time, it would be appropriate for the Court to provide the parties an opportunity to resolve this matter by agreement rather than continuing with this motion. In view of the California Rules of Civil Procedure that requires dismissal of a matter if trial has not commenced within a five-year period, plaintiffs suggest that it would be appropriate to engage in settlement discussions before the Court rules on the pending motion.

The Judge turned to Sherman and asked "Counsel, what is your pleasure?" Sherman was surprised by the unexpected request for settlement discussions this late in the proceedings. Clearly, if the Court ruled in his clients favor on the pending motion, the litigation would be over, even though he was certain that George would file an appeal to challenge the Court's decision. "Well, your Honor, we came here prepared to argue the merits of our petition. Although we do not believe that settlement discussions would be fruitful, we are willing to explore all possibilities. I would not be averse to taking up an hour of the Court's time to attempt to resolve this matter in a manner acceptable to our clients," replied Sherman.

"Very well Counsel," asked the Judge, "Are you both in agreement?"

George Rubinstein and Sherman nodded their acquiescence. "Mr. Rubinstein, I will see you in Chambers first, and then I will speak with Mr. Allen." She started to leave the bench then stopped and looked at Sherman and said "Mr. Allen, if you need time to contact anyone with respect to settlement authority, I will give you some additional time for you to do so." "No your Honor," replied Sherman, "I do not need to speak with anyone; I have full settlement authority on behalf of all of my clients." "All right," said the Judge, as she stepped down from the bench and entered her Chambers followed by Grant Daniels and George Rubinstein.

"Well gentlemen, the die is cast," said the Judge somberly as she sank into her overstuffed leather chair. "We're here to start down the path of a criminal enterprise which could destroy our legal future and possibly land all of us in jail for many years. I, for one, do not intend to make any mistakes in this enterprise. As I told you before Grant, I have taken steps to disavow all these activities in the event there is any disclosure, of any kind. Do you understand this?" The two men nodded somberly and said nothing.

"I have agreed to engage in this based upon the knowledge that Grant has for the past 20 years been my political mentor and guide. Now that politics and circumstances dictate that my career will no longer grow, I am willing to accept Grant's assurances that this enterprise will not be uncovered. If I did not believe that Grant was risking as much or more, I would not be involved. Having said all that, go over the procedures and give me assurances that there are no documents in writing that can in any way draw attention to me or my Courtroom."

Grant started speaking slowly, almost a whisper, "George has set up a trust account in the Grand Cayman Islands at Barclays Grand Cayman which will be used to wire transfer certain funds from a number of *Peterson, Daniels, Rubinstein & Greene's* operating accounts through our English bank accounts to banks in Munich and the Cape of Good Hope. After a series of cross wire transfers from self-extinguishing bank accounts, \$10 million in cash will be deposited into an account in a corresponding bank in Monte Carlo.

Later this afternoon, we will provide to you with the bank account number and the personal identification number, which will permit, you access to monitor or withdraw the full amount, or any portion thereof, from the bank at your sole discretion. George will leave for Europe tomorrow morning to monitor the transfers and to arrange for additional funds to be posted into a Munich correspondent bank from the Cape of Good Hope Bank that will be utilized to provide you with \$10 million in negotiable German Bank Bearer Bonds and \$5 million in uncut diamonds. The Bearer Bonds and diamonds will be personally delivered to you by George at your vacation rental Villa in France, at St. Jean Cap Ferrat."

"None of this information will be in writing," said Grant Daniels. "The only documents that will exist will appear to be a simple report regarding a discovery pleading relating to a matter pending before Judge Harrison in the next Courtroom. The document will be left in your Courtroom's in-box. If anyone discovers it, the document will simply appear to have been dropped off in the wrong Courtroom. To be certain that no one else sees the document, George will personally place the document in your Courtroom's in-box shortly before 4:30 p.m., shortly before your Bailiff locks the doors to your Courtroom.

After the Bailiff leaves the Courtroom, you can retrieve the document without interference. Aside from this conversation, you will only meet with George at the Villa in St. Jean Cap Ferrat, and the only documents which will exist will be the discovery pleading which will contain the bank account PIN numbers for the Cayman Island and Monaco bank accounts."

The Judge listened and committed the procedures and the discussion to memory. After a few moments of silence, she said, "I will indicate in open Court that I will take the matter under submission and issue my ruling before the end of the day. At the last moment, I will keep the matter under submission until I return from a short three week vacation." "This will insure that all the transactions will be complete before I issue my final ruling. Tell me again, why are you so certain that the bank accounts will not be discovered?" she asked.

"Simply put, your Honor," said George Rubinstein, "Each bank account will be a short-term time deposit covering an alleged estate purchase of property in the Cayman Islands by a wealthy South African national. Each account will be open long enough to receive a deposit, clear the source bank and, after the wire transfer of the funds to the next account, the original account will be closed. No account will remain open for more than 30 days and, as a consequence, there will be nothing to trace even assuming someone was to discover the account number by accident."

"How will you explain your trip to Europe, George?" asked the Judge. Nervously, George whispered, "The Firm represents a software company in Germany which has offices in Paris and Nice. I will stop at a client's offices and review certain of their agreements for compliance with The Hague Convention Software import and export rules. The Firm has conducted these audits for several years, the document review is normally conducted by the Senior Partners of the Firm who take the opportunity to travel through Europe with their families.

I will have more than enough time to conduct the review and take care of all of the arrangements with the various banks." The Judge looked at the clock on the wall and said, "All right, let me talk to defendants' counsel and bring this charade to an end." "Good luck gentleman. Grant, I will not see you until I return and issue my ruling. George, I will see you in a couple of weeks."

The pair shuffled out of the Judge's Chambers and as they entered the Courtroom, they motioned to Sherman Allen that it was his time to speak with the Judge. Sherman whispered to Anthony to remain at the counsel table and walked into the Judge's Chambers. "Your Honor," said Sherman as he sat in the chair directly opposite the Judge's oversized mahogany desk. "Well, Sherman," said the Judge warmly, "It appears that your opponents are overly confident as to the results of these proceedings.

After asking for a settlement conference, they are not interested in meaningful settlement discussions and only offer to allow your clients to pay

\$200 million and they will agree not appeal my decision." "Do you have a number which you believe your clients will accept in full settlement of the litigation?" Sherman was more surprised by the Judge's warmth and casual manner, than the offer that had been placed on the table. She was known to be vindictive and would hold it against counsel if he challenged any of her decisions. The offer did not make any sense. It did not make sense for George Rubinstein to propose settlement discussions and then not budge from his prior position.

"No, your Honor. We believe we are entitled to complete relief and are prepared to rely upon the Court's application of the law on the issues before it," Sherman said firmly. The Judge stared at Sherman intently and said, "Are you that confident that the Court will rule in your favor?" "Yes I am," said Sherman without hesitation. "Well Counsel, it does not appear that there's anything to talk about." She stared at Sherman and said, "I'm going to think about my decision and will issue it sometime this afternoon."

Sherman stood and said "Thank you, your Honor. It is early and I will be returning to San Francisco, to attend a local theater production. I have not missed one performance for the last ten years." Uncharacteristically, the Judge looked at Sherman and said, "In many ways, I envy you Counsel. It has been a pleasure working with you during these last four years." As he turned and left the Judge's Chambers, Sherman thought that the Judge's comments were strange.

Walking into the Courtroom, he stood at the counsel table. The Judge came out of her Chambers, went to the bench and said, in an unemotional voice, "The settlement discussions have not been successful and I am therefore terminating them at this time. I will rule upon the pending motion this afternoon. The Courtroom will be dark for three weeks, inasmuch as I intended to take a three-week vacation. If there are any issues in my absence, please be patient. Perhaps my ruling will obviate any additional pleadings in this litigation." The Judge arose, stepped away from the bench, and disappeared back into her Chambers.

Anthony turned to Sherman and said, "I certainly did not expect settlement

discussions at this late date. I also expected the Judge to ask more pointed questions. How do you read her?" "I believe we won our motion and that the Judge is merely giving George and Grant some time to prepare their clients. In any event, it is time for lunch and a cocktail. We will celebrate later." Gathering their briefcases and files, Sherman and Anthony left the Courtroom with a confident air. Anthony noticed the smug smiles and looks of confidence on the faces of Grant Daniels and George Rubinstein as they left the Courtroom.

Sherman walked into the Water Grill restaurant and asked the young waitress for a table for four. Sherman motioned to Anthony, Sandy and his legal assistant to follow the waitress. He sat down turned to Anthony and said, "I have not felt this good in years. You should have seen the Judge as she openly challenged whether or not I believed that she could come to any conclusion of the then ruling in our favor." Turning to the waitress, Sherman said, "Young lady, can we order some cocktails. We're celebrating." The young woman turned and said, "I will have your waitress take your order right away," motioned to another attractive young woman who took their drink orders and rushed back to the bar.

"Do you really believe that the Judge will declare an all-out victory?" asked Anthony. "Yes I do," replied Sherman, "We have maneuvered this case over the past two years in such a manner that she can only reach one conclusion. Granted the legal issues are not crystal clear, but it's the only conclusion she can reach under the circumstances. Besides, that's probably the reason that George made that silly offer to reopen settlement negotiations." Sandy, the litigation chief of Sherman's Los Angeles offices, asked, "Why make the offer to reopen settlement negotiations if you have no intentions of accepting anything except complete victory?"

The young cocktail waitress arrived and gave the party their drinks. Sherman raised his glass and said "To the good Judge, to our clients and to all the good-looking California surfer girls working at this restaurant." The others raised their glasses and sipped their drinks. "George was hoping that the Judge would put some pressure on us to make an offer of settlement if we believed that

the legal issues which we raised before the Judge were weak. Unfortunately, the Judge apparently did not bite. It is clear to me that she will rule in our favor this afternoon," smiled Sherman.

"A five-year, \$200 million piece of litigation has turned into garbage for George. It is too bad that only a few short months after the death of the senior partner of their Law Firm, Grant and George have to preside over a major loss," said Sherman. "And don't forget about attorneys fees," said Anthony. "Attorneys fees in this type of litigation are always granted to the successful party. The last time that I looked, our legal fees on this litigation, not including costs, exceeded \$9 million. Not even George's Firm considers that pocket money."

"You're absolutely right," said Sherman, "This loss will have a substantial impact on *Peterson, Daniels, Rubinstein & Greene*." "It is important that we get our hands on that order ASAP," said Sherman to Sandy. "Why not send this young lady to the courthouse to wait for the Judge's ruling. I have a 3:30 p.m. United flight back to San Francisco and a golf game on Sunday, which I plan to enjoy," said Sherman. "My flight is not until 8:30 this evening. I will wait for the Judge's ruling," said Anthony, "No need to keep the staff late in view of the nasty five o'clock traffic which Los Angeles is famous for." "Thanks Anthony," said Sandy, "I would like to get home before 9:30 p.m." "No problem," said Anthony.

Sherman enjoyed spending time with his staff. It was important to him that they understood the reasons for the litigation and the reaction of the judge and the attorneys that were involved in the litigation. If, as attorneys, they could not read the Judge or opposing counsel's behavior, then they would never rise above the skill level of an average attorney practitioner. The practice of law was not simply applying the rules and regulations, or pointing out to the Judge or opposing counsel similar case law situations. It was a total overview of the individual matter currently pending before the Judge, but also the entire case. Sherman respected Anthony because he could trust Anthony to read the entire file and to listen to the reasons that Sherman advanced in interpreting a ruling or a reaction by another attorney.

Sherman was happy that this litigation was over and he could start on another project. Frankly, he thought to himself, I am simply bored. Let's face it, one case is very much like the other and does not present any particular challenge unless opposing counsel is aggressive and brings the final result in question. However, good lawyers that could offer an interesting fight were rare and that was one of the factors, which made Sherman bored with the practice of law. George had been a wonderful opponent; however, the winding down of the litigation would be left to staff attorneys and the challenge to Sherman would be gone. Sherman resolved to look for a greater challenge in the next piece of litigation he accepted. He knew all the cases that were pending in his San Francisco and Los Angeles offices and did not foresee anything interesting. "Perhaps I should take a vacation," he thought to himself.

They finished their lunch and Sherman asked the waiter to call him a cab to the airport. Sherman nursed his drink and was genuinely disappointed that the litigation was about to end. His cab arrived; he thanked them all for their effort and suggested to Anthony that it might be better for a local staff person to sit around the courthouse the rest of the afternoon and wait for the Court's ruling and for him to catch an earlier flight back to San Francisco.

Anthony assured Sherman that it was not a problem and told him to go home and enjoy himself and celebrate his anticipated victory. "I will give you a call tomorrow morning and read the decision to you." Sherman grabbed his briefcase and said "Thanks Anthony." As the cab pulled away from the curb, Anthony thought to himself, Sherman certainly takes these victories in stride. I would be overwhelmed to have led a successful defense of a \$200 million piece of litigation.

[Chapter 5 - Overheard Conversation](#)

Anthony waited outside the Courtroom for the Judge's Clerk to bring out a copy of the Judge's decision. The Judge's Clerk would normally prepare an Order after receiving instructions from the Judge and then submit the Order to

the Judge for her signature. The Judge had a busy afternoon calendar, which included a number of unrelated matters; however, her practice was to sign all orders before the end of the day and have the Clerk place the signed document in the Court's out-box for counsel to retrieve.

As he waited, Anthony, through the small window slots in the Courtroom door spotted George Rubinstein sitting in Judge Letterman's empty Courtroom. It was unusual for lawyers to meet with a Judge alone without opposing counsel, but Anthony knew that George's Law Firm had many matters pending before this Judge and did not give the matter much thought. Anthony did not particularly like George as a person, although he respected George's legal abilities. He knew that George never let his guard down in or out of court.

Anthony thought that George was small and petty and was a bit too arrogant given that he was so obsequious to his partner Grant Daniels. Anthony did not want to make small talk with George or listen to him gloat over the tentative decision and the morning's events. Anthony moved quickly down the corridor in the direction of the witness waiting area in an effort to avoid any encounter with him.

It was 4:00 in the afternoon, close to the 5:00 pm closing of the Courtroom, as Anthony checked the courts out-box for the Judge's signed Order once again. It was not in the Out-Box. Anthony walked back into the witness waiting area, retrieved a left over copy of the Sports section of the Los Angeles Times newspaper and walked down the hall to the Courthouse bathrooms. As he opened the door, the electronic sensor, which had been recently installed in compliance with the Governor's directive to all state offices to save on electricity, turned the bathroom lights quietly on.

Anthony selected a toilet stall and quickly became engaged in an article about the upcoming Sunday game between the San Francisco 49ers and the Miami Dolphins. In the middle of the article, the electronic sensor turned the bathroom lights off. "Damn it" he said aloud. He was feeling foolish and upset with the Governor's energy saving device as he sat in a pitch-black room with his

pants down around his knees. Anthony put his newspaper down and awkwardly dressed in the dark and was groping for the bathroom stall door when the lights suddenly came on.

Embarrassed by the situation Anthony decided to wait until whoever had come into use the facility had left. He did not want anyone to know that he had gotten so comfortable reading in the toilet that he had lost track of time and had to finish his business in the dark. Anthony hoped that the person would not want to use his particular stall, which would only add to his embarrassment.

"What did she say?" he heard a familiar voice ask. "Is she in?" "Shusssss... there might be somebody in here." Anthony recognized George Rubinstein's voice. Now Anthony really felt stupid. Anthony was not going to give George the satisfaction of laughing at him or making some derogatory comment by finding him in a toilet in a dark restroom. Anthony quietly moved back from the toilet door determined to wait until the pair had left the room. Another familiar voice said, "Don't worry. The lights sensor came on as we entered the room. Those electronic motion-detector light switches are designed to turn the lights off 10 minutes after someone leaves the room." Good grief. Two people I know, Anthony thought as he could already see the smirks on their faces if they found him.

"Right now all she wants is assurances that nothing can go wrong and how we are going to transfer the money without leaving a trail. Grant has assured her that the funds cannot be traced from our Firm's bank accounts to her account in Monte Carlo." "I will be responsible for taking care of those details. Grant wants to spread the monies to cash and cash-equivalents, and fully negotiable Bearer Bonds and diamonds," said George. "When the ten million is finally transferred from the Cayman Island account to the account in Monte Carlo, the Cayman account will be closed within 24 hours." "I know that it is virtually impossible to identify any bank account in the Cayman Islands given the secrecy laws of the Cayman government," said the other man.

Anthony was puzzled. *Peterson, Daniels, Rubinstein & Greene* was well

known for its high-flying, high-stakes international transactions and clientele, but this sounded like common money laundering. George Rubinstein was a senior equity partner in *Peterson, Daniels, and Rubinstein & Greene*, why would he involve himself with any reputable client to assist in moving funds from one bank account to another and close the money paper trail behind them. Anthony stood as still as he possibly could, barely breathing for fear that he might be discovered.

"Did you get the account numbers?" George asked. "Yes, I have listed the Cayman Island and Monte Carlo bank account numbers and the personal identification numbers necessary to access the accounts as file numbers in the file records attached to our report to the Judge in the Henderson litigation. She will be able to verify that the accounts have been opened and closed as the funds are processed."

Anthony recognized the second voice; it was Edward Kessler, Harvard Law and an ex-navy fighter pilot, with a reputation as being a real straight shooter. Anthony heard pages being turned and George saying, "Good these are just fine." Kessler said, "The Judge's Clerk locks the Courtroom exactly at 5:00 p.m. I will drop them into the Court's in-box, and she will get them in the morning." "All right, let's go and get this over with," said George. "If this did not involve a \$200 million case, I would walk away from it in a minute." Anthony heard the door open and Kessler saying, "She can still change her mind. I'm glad I'm not going to be the one to physically handle the transfer of cash to the good Judge."

Anthony was stunned. He could not believe that he had overheard George Rubinstein of *Peterson, Daniels, Rubinstein & Greene* talking about transferring money to a Los Angeles County Superior Court Judge. Anthony's mind was racing as he processed the information he had just overheard. His face had become flushed and he could feel a warm sensation around his neck as he realized the significance of a matter involving \$200 million pending before any Judge on the 10th floor of a Los Angeles County Superior Court building.

The consequences of what he had just overheard could result in the

destruction of the 15-year career of a Superior Court Judge, the disbarment of George Rubinstein, Grant Daniels, Edward Kessler, and who knows what others, as well as ravage the reputation of *Peterson, Daniels, Rubinstein & Greene*. Years ago a scandal like this had hit San Diego, where several judges and a number of attorneys were indicted for taking bribes and case fixing, but that was San Diego. "This was Los Angeles County," he thought, "It could not happen here. How much money was involved? Who was the Judge? They had said she."

How many women Judges were there in the LA County Superior Court System? How many \$200 million cases are pending in the LA County Superior Court System? How many did he know? In answering his own questions, Anthony was so shaken by the realization, that he stood transfixed in the toilet stall until the electronic sensor turned the lights off and the absolute darkness shocked his mind back to reality. He grasped for the door and opened it, and as he exited the stall, the electronic sensor turned the lights back on. Anthony was in a cold sweat, what should he do?

Without thinking, Anthony walked directly to Judge Letterman's Courtroom, pushed open the door and stepped inside. Anthony stood there with perspiration starting to form on his forehead staring at the Court's in-box and at the single document, which it contained. The Courtroom was empty; however, Anthony knew that the Clerk, or the Bailiff, would soon return to close and lock the Courtroom doors. He hesitated briefly, took a deep breath and picked up the document in the Court's in-box, turned around and walked quickly out the door.

Outside the Courtroom, Anthony was shaking as he held the three-page document. He examined it briefly and saw that it was a discovery document in a case entitled *Henderson Construction vs. Anderson Construction*. Nervously looking up and down the hallway, he walked as fast as he could to the witness waiting room, which contained a public copy machine installed for lawyers who were constantly appearing in court without the necessary number of copies. Praying it was operative and that no one else was using it, Anthony fumbled for

his court issued identity card, which would activate the copy machine and send the charges to the Law Firm's account.

He quickly made a copy of the document, constantly looking up and down the hall for anyone who might see him. When he finished making copies, he raced back to the Courtroom, pushed in the door, and threw the original document back in the Court's in-box. As he stood there, catching his breath, the Court Clerk entered the room from the Judge's Chambers.

"Sorry Anthony," the Clerk said, "The Judge has not issued a decision. She has instructed me to tell everyone that the matter will be taken under submission. You know that the Courtroom will be dark until she returns from a short vacation in a couple of weeks. The Judge wanted her research attorney to clarify a few additional points before making her ruling." Anthony barely managed to say "Thank you" to the Court Clerk as he walked out of the Courtroom.

[CHAPTER 6 - Cayman Islands Account](#)

Anthony, deep in thought, took the elevator to the courthouse parking garage and sat in his car for a full 30 minutes before he was composed enough to drive. He would go back to the office and think about this further, he thought, clutching the pages in his hand. It was as if he was afraid that if he opened his hands, the document would disappear. Anthony drove back to the Firm's Los Angeles offices in a daze, oblivious to the heavy Friday afternoon Los Angeles traffic.

Anthony left his car with the building's valet parking. Pocketed his ticket, he took the elevator to the third floor of the Pacific Center building where the Los Angeles offices of *Allen, Peterson & Stein* were located. The Pacific Center was one of those unique examples of California Baroque architectural design with marble floors and ornate chandeliers centered on 30-foot high ceilings outlined with marble gold painted leaves and flowers. The Pacific Center had been built in the early 1920's and represented the opulence of the City of Los Angeles downtown area at its zenith.

Over the years, the downtown area had suffered from the relocation of the vital business Center of the city to its outskirts and into glass and steel skyscrapers devoid of any personality. The Pacific Center had managed to retain its original glory in the center of other buildings in the city that had started to show their age, a major reason for the building having been selected by Sherman Allen for the Firm's Los Angeles offices.

Anthony fumbled for his keys. It was clear that no one was working late tonight. The attorneys and staff in the Los Angeles offices of *Allen, Peterson & Stein* keep banker's hours, he thought to himself, forgetting that he had told them to go home early and miss the traffic. The San Francisco offices of the Firm were frequently teeming with life well into the late evening hours. It was not unusual to find many of the staff winding down in the local bar located next to the offices.

Anthony went into the office maintained for Sherman's visits to Los Angeles. It was devoid of any personal memorabilia; however, it was fully functional for Sherman's on-the-road work style. Anthony went directly to Sherman's computer and turned it on. He dropped into Sherman's oversize leather executive chair and stared at the pages, which he held before him.

The three-page document which Anthony had copied appeared to be a standard report to the court setting forth certain documents reviewed at the direction of the court. The first page consisted of a pleading caption, general language identifying certain documents that had been reviewed by the attorney and requesting that Judge Harrison order the opposing attorneys to pay for the costs of the review as sanctions.

Exhibit "A" purported to list 145 files reviewed, each identified by file number and listing the documents in the file, that had been reviewed. The pleadings addressed a matter currently pending in Judge Harrison's Courtroom, Department 12, not in Department 15, Judge Catherine Lettermen's Courtroom. "A simple mistake?" he mumbled to himself, "Or, does it give the Judge an opportunity to deny any knowledge or connection to it." Anthony studied

Exhibit "A" and tried to recall what George had said about the bank numbers. George had said something about a Cayman Island bank and a bank in Monte Carlo.

Anthony knew that the Cayman Islands banks were notorious for their money-laundering activities. He also knew that the privacy laws of the Cayman Islands, as well as most of the Caribbean islands, were strictly enforced and that it would be impossible to identify a bank account number under the best of circumstances.

The Cayman Islands consist of three small Islands south of the Republic of Cuba, whose government had been granted immunity from taxation by King George III of England. Apparently, in 1788 a convoy of treasure ships carrying a dozen English businessmen, allegedly including a member of the royal family to the island of Cuba, ran aground on a reef on the eastern shore of the main Island, Grand Cayman, during a particularly savage storm. The local inhabitants, mostly descendants of English and Spanish pirates, risked their lives to save all of the English businessmen from certain death.

The King of England, in gratitude for their actions, exempted the Cayman Islands from taxation by the English Crown, in perpetuity. The effect of this royal order was to exempt the Cayman Islands from The Treaty of The Hague between the United States and England, denying the United States government authority from probing into financial operations conducted within the Cayman Islands. Banks and other financial institutions quickly took advantage of the situation, and the Cayman Islands developed a cottage industry of money laundering.

Anthony had once traveled to the Cayman Islands with Sherman for the purpose of establish an offshore insurance company on behalf of a wealthy client. He was surprised to learn that in Georgetown, the Capitol City of Grand Cayman; there were more than 300 banks and insurance companies housed in a half-dozen buildings. The population of the Cayman Islands was approximately 24,000 inhabitants, 18,000 of those were British nationals working in the

Cayman Island's banking industry on temporary visas. The largest city in Grand Cayman, Georgetown, was a sleepy little Village containing a City Hall, three small restaurants and a Royal British governor, who drove to and from his offices in full military uniform and in a white chauffeured Rolls-Royce.

Anthony logged on to the internet and engaged the search engine looking for "Banks, Grand Cayman Islands." As he had expected, there were dozens of banks listed and was certain that there were hundreds of other banks that were not listed on the various web sites which he reviewed. "It would make sense to use a relatively unknown bank. On the other hand if it involves large sums of money, and you don't want to draw attention to yourself, a major bank would be a better choice." He said aloud to himself.

Anthony studied the file numbers contained in Exhibit "A", trying to find a pattern of numbers, which would give him a clue as to the account number. He recalled that Kessler said that the Judge could verify the existence of the account from the information contained in this document. He noticed that the 8 to 16 digit file numbers were preceded by two to four alphanumeric characters. He painstakingly listed the 145 file numbers on a spreadsheet and printed a hard copy. He studied the number sequences but could perceive no noticeable pattern. Anthony used the computer to sort the file numbers by the alphanumeric characters and then by the numbers themselves.

After an hour of looking for sequences, he got up went to the refrigerator in the kitchen area of the office and pulled out a can of Coke. As he sipped the soft drink, he was starting to wonder whether or not he had actually heard George Rubinstein and Edward Kessler talking about banks in the Cayman Islands or in Monte Carlo.

Anthony went back to the computer and examined the spreadsheet for the 100th time. How would I identify a bank account in the Cayman Islands, he thought to himself. CI for Cayman Islands? Anthony looked up and down the list for the initials CI, Cay, Caym with no success. "There are three Islands in the Cayman Island chain, Grand Cayman, Cayman Brac and Little Cayman",

Anthony said aloud. On his large yellow legal pad, he wrote down the initials GC, CB and LC. He turned to the spreadsheet on the computer and immediately located two files with the initials GC. It cannot be that easy, he thought, and scanned the list again to verify the two file numbers. Anthony scribbled on his note pad, "File no. 32 - GC/BB 34567862 and File no. 42 GC/PN 488499"

Anthony went back to the internet and logged on to the Cayman Island Tourist and Business Directory. He studied the names of the various banks and compared the characters listed under File no. 32. BB of GC, Barclays Bank of Grand Cayman, why not Grand Cayman/Barclays Bank, GC/BB. Anthony's mind was racing, GC/BB/PN? "Could PN stand for PIN, personal identification number"? Anthony keyed the search engine to Barclays Bank of Grand Cayman. A picture of palm trees, a pale blue sky and Seven Mile Beach with the Barclays Bank logo appeared.

Anthony selected account access and a box appeared. The computer screen asked for the account number and for the account password. Anthony located the File number 32 on Exhibit "A", and typed in 34567862 for the account number, and from File number 42, on Exhibit "A", typed in 488499 for the password and pressed the "Enter" key on his computer. The computer screen went blue and, after what seemed to be an eternity, a screen entitled "Account Summary" appeared. Anthony's heart almost stopped beating as he mouthed the name of the account "Anderson Construction." "The probability that this is a coincidence is 200 million to one," he said softly.

Anthony stopped to think. All he had was the conversation he overheard about a bribe, a reference to a \$200 million case, a document he pulled from Department 15 and access to a bank account in the Cayman Islands. All the facts suggested a terrible conspiracy to bribe a sitting Judge; however, there were no real hard facts to prove anything. As a lawyer, his duty was to the client. If there was any possibility that the bribe was to be given to the Judge to render an adverse decision in the insurance company mold exclusion case, then all steps necessary to prevent that from happening must be taken.

The account indicated that a deposit in the amount of \$10,000 had been made in the past five days. Within that period, the account showed withdrawals totaling \$9,000, leaving a balance of \$1,000. Anthony stared at the computer screen in utter disbelief. He took a deep breath and reached for the telephone.

He called the San Francisco office of *Allen, Peterson & Stein* and listened to the telephone ring 10 times before hanging up. Glancing at his watch, he saw it was 11:30 pm, no one around except for a few who were trying to avoid working on the weekend due to filing deadlines or preparing for trial. No one who could help him get rid of this terrible burden which he had uncovered.

Anthony reached into his briefcase and pulled out his airline ticket for his return flight to San Francisco. He located the number for reservations and dialed it. "I missed my flight earlier this evening; I would like to catch the earliest flight available to San Francisco in the morning." The Reservations Clerk replied that the earliest flight was at 9:30 a.m. Anthony asked her to book the flight and thanked her for her assistance. He printed copies of the computer screen and the Barclays Bank website. Anthony made two copies of Exhibit "A". He placed one copy in Sherman's desk and faxed the other copy to himself at the San Francisco office.

He took the original copy and the printouts of the Barclays Bank Cayman Island accounts and placed them into his briefcase, turned out the lights and slowly walked down the two flights of stairs to the bar at the Water Grill restaurant. Anthony realized with absolute clarity the impact of the information, which he had uncovered. He knew that he must get the information to Sherman immediately. This was not something he could disclose over the telephone. The trembling in his hands slowly subsided after his third glass of vodka.

Anthony suddenly realized that he had not made hotel reservations. He had planned to go home earlier that evening. He was tired and did not want to spend the time calling around for a room. Anthony had another drink and went back to the office. As he entered the offices, he ran into the cleaning staff, which had just finished their rounds. Good, he thought, no one will interrupt me. He took off his

jacket and lay on the couch. Anthony went to sleep on the long leather couch in the office reception area dreaming of file numbers and bank accounts and crooked judges.

CHAPTER 7 - Plan of Action

He fingered his cell phone nervously as he dialed Sherman's home telephone number. He had thought about nothing else on the airplane flight from Los Angeles to San Francisco except how he was going to tell Sherman about the information he had uncovered, his conclusions about the Judge and ask him what should be done. Even after a restless but deep night's sleep, the whole situation still seemed inconceivable to him. Sherman's answering machine added to his anxiety by informing him that Sherman was not home. He knew Sherman played golf every weekend and that, unless he had his cell phone on, Sherman could not be reached for most of the day. "Sherman, this is Anthony, I have to talk to you today about the motion heard Friday. I am in the City and will try to reach you later today. Please call me on my cell. I'm going into the office."

He picked up his car at the Airport Short Term parking lot and drove into downtown San Francisco. After fifteen years living in the city, the San Francisco skyline, drawn clearly and crisply against the cloudless deep blue sky, still evoked a feeling of awe of the picture postcard world that existed as one passed through the hills and streets of San Francisco. What the hell am I going to do in the office? Sit and wait for the rest of the afternoon for him to call? He thought to himself as he turned into the 3rd street freeway off-ramp and headed for the office.

"No, I've got to talk to him or I will go crazy," he said aloud. He was too nervous to sit still and decided to drive to Sherman's house and wait for him. He drove through the canyons of ragged skyscrapers that slowly turned into rows of block-long apartment buildings, which slowly turned into rows of brightly colored Victorian apartments consisting of converted homes of wealthy San Franciscans who survived the 1908 earthquake.

As he drove across the Golden Gate bridge, he unconsciously reached for his briefcase to reassure himself that the papers were still with him. As he turned off the freeway into Mill Valley, he thought to himself about the pretentiousness of the residents of this fabled community. Perhaps not more than those who lived in Hillsboro, Beverly Hills, the Hamptons, but with a unique character and reputation unlike all others. Sherman lived in a modest million-dollar, three-story house nestled among a grove of redwood trees and overlooking a sweeping tree covered valley, which stretched out to touch the Pacific Ocean. Sherman had named his home "Quail Run" for the scores of quail that would feed in his back yard and that would scurry away when the house cats, Joey and Sidney, came out of the house looking for a place to soak in the afternoon sun. Sherman had not yet assimilated into the Marin County lifestyle. Sherman did not have the requisite Marin County "hot-tub", but he did have all of the other trappings of a successful attorney living in this beautiful community.

Anthony rang the doorbell several times, anxiously waiting for a response. The door opened and the housekeeper, Juana, answered. "Good afternoon, Mr. Anthony. Mr. and Mrs. Allen are not home," she said. "Hello Juana. Can you tell me when Mr. Allen will return," he asked. "I don't expect them home until late. They went to the Mountain Play and told me not to fix dinner for them," she answered. "Thanks Juana. If Mr. Allen calls, please ask that he call me about an important matter." he said and got back into his car. Anthony drove along the Redwood tree lined Stinson Beach Road leading down to the ocean and turned up on a narrower road toward the summit at Mt. Tamalpais.

The Mountain Play was a local theater production staged in a stone amphitheater situated near the summit of Mt. Tamalpais, the highest mountain in the San Francisco bay area. A dangerously narrow road snaked through a thick redwood forest crossing occasional creeks gorged with crystal clear water draining from the mountain's watershed. The majority of the patrons attending the Mountain Play took special shuttle school buses from the Mill Valley High School parking lot to the top of the mountain. Anthony knew that if he could get

to the amphitheater before the play ended, he might be able to find Sherman before losing him to one of the many restaurants in the surrounding communities.

As he arrived at the base of the path leading up to the amphitheater, he saw that the play had ended and that people were already coming down the path to the shuttle busses that were waiting to take them back down to Mill Valley. He parked his car on the side of the road and hurried up the path looking for Sherman. What a diverse crowd he thought. A healthy group of people, at first glance informally dressed; however, the informality was high style and expensive informality. The younger people were trim, fit and attractive. It was difficult to tell the age of the older people, since they were all so fit and trim. They were so healthy that most of the 70-year-old women were so attractive that, at a distance, they were difficult to tell apart from the 20 year olds. Most of the men looked as if they were responding to a casting call at a movie studio, all with a tan developed from many hours on the local golf courses.

Anthony was out of breath from the climb up from his car to the amphitheater. The amphitheater was almost empty, and he was about to turn back when he spotted Sherman standing under one of the few trees giving shade from the afternoon sun. "Sherman," He called. Sherman Allen turned, saw Anthony and smiled in recognition. What is Anthony doing here? He thought to himself.

Anthony wove his way through the exiting theatergoers who were carrying blankets, cushions, picnic baskets and trash consisting mostly of empty expensive wine bottles. He found Sherman studying the people leaving the amphitheater. "Hello Anthony. If you came to see the play, it's over and everyone is going home," said Sherman. As Anthony caught his breath, Sherman said "Thirty minutes ago there were over a thousand people seated among the stone and earth seats watching the play, enjoying a picnic lunch, drinking expensive wine , champagne and orange juice, bottled water. Most are gone now, but do you notice anything unusual about the amphitheater?"

Anthony studied the scene and all he saw was a roman style amphitheater consisting of dirt paths and uneven stones in a semicircular pattern, with an occasional tree providing shade from the afternoon sun. All the seats focused upon a wood stage at the base of the amphitheater. "No, perhaps the stone seats are uneven and may not be too comfortable for a long production," Anthony said. Sherman laughed, "That true," he said. "Look over there at that cute blonde. The one with the Marin County starter set."

Anthony saw a trim athletic blonde-haired woman with long legs and a loosely fitting t-shirt that outlined her substantial bust, bending over to pick up a plastic bottle that someone had left behind. "I see the blonde, but what is a Marin County starter set?" Anthony asked. Sherman smiled and said, "She is wearing the standard two carat diamond engagement ring, a gold Rolex watch, a single carat diamond around her neck, faded Levies and a faded t- shirt." "I'll also bet that she drives a white Mercedes or a convertible BMW, but what is so unusual about that?" Anthony asked.

Sherman smiled and said, "There is no physical evidence that all these people were here an hour ago. Every person here picked up every piece of picnic trash that littered the ground just a short time ago. The few people who are leaving late are picking up any missed napkins or paper cups left behind. Not a scrap of paper to be seen and the place is spotless!" "Have you ever seen Candlestick Park after a football game? There are so many piles of garbage left behind that it takes an army of janitors most of the night to clean up the place." I never thought I would meet anyone who is as anal retentive as I am about picking up one's own mess. Here is a whole community full of them."

"Anyway Anthony, what is so important that you had to track me down on a Saturday, out here in the middle of nowhere? Did you pick up a copy of the Judge's Order in the mold exclusion matter?" Sherman asked. "Sherman, I have uncovered information which suggests that Judge Letterman may have accepted a bribe to rule against our clients," he said softly. "I believe that the Judge will receive somewhere between 10 to 15 million dollars from *Peterson, Daniels,*

Rubinstein & Greene. The Judge did not issue her Order on Friday, and I was told the matter had been taken under submission by the Judge."

Sherman's face showed no surprise or emotion. He had known Anthony for 15 years and knew that Anthony was not one to joke about business matters, especially about a ruling by a Judge, the impact of which could bankrupt a number of his clients. "Anthony, you're not joking about this, are you?" he asked. Anthony shook his head solemnly and Sherman said, "No, you're not joking. Let's go somewhere we can talk."

Sherman's wife Diane, a perfectly proportioned, vivacious redhead with a disarming smile, had been talking with girlfriends about the mountain play and called to Sherman, "Sherm Sherm dear. Do you want to take the walking trail down the mountain with Pam and Carol?" The seven-mile walking trail from the amphitheater down to the base of the mountain was a photographer's dream, tall California redwood trees rising hundreds of feet out of lush green and well-kept vegetation was one of the most spectacular views in the entire San Francisco bay area.

On a clear day, one could see the normally hidden beach at the base of the Golden Gate Bridge to Lands End to the usually fog-covered city of Pacifica and the entire San Francisco bay. A sparkling span of blue water dotted with sailboats circling Angel and Alcatraz Islands flowing in and out of the dozen or so yacht clubs, which were indigenous to the area. Although he would not admit it to anyone, Sherman's knees would be swollen by the time he reached the parking lot and welcomed any excuse not to walk the trail. "Not a chance," he replied. "You go and pick up the car, I'll drive down with Anthony and meet you at the Yacht Club around 6 and we'll have dinner. Ok ?" "Ok." she replied with a radiant smile and went back to talking with her friends.

Anthony and Sherman gathered Sherman's picnic basket and cushions and walked down the hill to Anthony's car. As they drove down the mountain, Anthony gave Sherman a detailed report of the events at the Courthouse the

preceding day and the results of his computer research. Sherman listened and, except for an occasional "Unbelievable!" said little.

Anthony turned off the main road into the parking lot of a small building, which looked like an old converted home with a small well-kept lawn hidden in a grove of 100-year-old redwood trees. The house was situated at the crossroads of the two main roads weaving their way from Sausalito up the mountain to Stinson Beach. The Pelican Inn, a typical Marin County bed and breakfast hotel where many couples living in Marin visited or stayed on weekends to get away from the stress of their neighbors, or simply to spend some time with a girlfriend or boyfriend.

After listening to Anthony's story, Sherman needed a drink and a quiet place to allow the magnitude of the disclosures to sink into his conscience. The Pelican Inn fit both requirements. The chances of running into anyone Sherman knew in this isolated spot would be remote. As the pair entered the bar, Sherman heard a familiar voice called out "Hi Sherman, what are you doing out here in the wilderness"? "Hi Raul. I just came down from the Mountain Play, great show," Sherman replied. "I heard about the tentative ruling in the mold exclusion case. I guess the Judge did not understand how to apply the law. Bad decision, she is wrong on the law. Are you going to appeal?" the man said gravely.

"The Judge took the matter under submission and is still thinking about it. That ruling just came down yesterday. How did you get wind of it?" he asked. The man laughed and started out the door. "I've got to rush. I am taking the boat out on the bay, and they are waiting for me at the club. I will call you next week and we can talk about the ruling, if it stands. It is simply wrong on the law". Sherman turned to Anthony and said, "There goes one of the best legal minds in the State of California, aside from me, I'm glad that he agrees with our theories."

Sherman looked around the room for anyone else he recognized and satisfied no one else would interrupt, selected a small table near an open window, walked over and pulled out a chair. Anthony motioned the waiter over and ordered a Skydiver. Sherman ordered his Johnny Walker Black on the rocks.

"Make it a double", he said and turned to Anthony. "Let me see the printout of the Cayman Account." Anthony reached into his jacket, pulled out a handful of papers and selected a page that had a color copy of the double-headed eagle of Barclays Bank Cayman. Sherman studied the paper and said, "I'll be damned, but there is only \$1,000 on deposit in the account."

"I tried for several hours to identify the Monte Carlo bank account and failed" said Anthony. "It's not Barclays Bank and there are over 500 banks registered in Monte Carlo. I was not able to segregate the ones conducting international business from those doing business in Europe." Sherman sipped his drink and said, "It was designed to be that way Anthony. Money laundering in the Cayman Islands is transacted on a scale we cannot imagine, the banking structure was created so that not only legitimate business transactions could be handled, but also so weapons dealers selling guns, tanks, ships, missiles and ammunition could conduct transactions without the scrutiny of various law enforcement agencies."

"This is not the first time anyone has wanted to move money without leaving a trail," he said softly. "This is not enough proof to even suggest that the Judge has agreed to take money for her ruling. The bank account could have been opened by anybody and it could be a coincidence that the document was left in her Courtroom. Without evidence of her knowledge, it is pure speculation. We clearly need more," said Sherman under his breath. "It corroborates what I heard in the restroom," said Anthony. "It smells bad Anthony. No pun intended. However, it is not unheard of. Look at those five Judges in San Diego who were indicted for taking money under the table several years ago. It's inconceivable in a case of this magnitude." "\$200 million is a great incentive," said Anthony.

Sherman quietly looked through the other papers that Anthony had given to him. He was known to be highly analytical and capable of looking at an issue from the smallest detail to the larger picture and evaluate its impact on the result with lightning speed. "I have some friends in Georgetown, Grand Cayman. One was a manager of some thirty file-cabinet banks resident in the Cayman Islands.

I think that he is now working for the British government. He might be able to identify the transaction and learn who opened the account.

I also know an investigative reporter for Lloyds of London, who is an expert at locating bank accounts. You remember Sean Jones? He was at the opening reception cocktail party in Monaco for the Rendez-vous de Septembre last year. He might be able to locate the wire transfer to the Monte Carlo bank, using the Cayman bank as a starting point. Sean was the person who tracked down Percy Montrouge and the Mumford Syndicate operating out of London and Belgium. He has developed such a great reputation for creative investigation into financial mishandling of funds, that he makes a nice living lecturing to insurance companies on how to spot internal manipulation of their huge premium investment accounts. If he is busy, he will give us a referral to other investigators as a starting point," said Sherman as he finished his drink.

"It's a good starting point; however, this is going to be an expensive exercise," said Anthony. "The insurance companies have paid us a great deal of money to defend them Anthony. We have more than a moral obligation to follow up on this," said Sherman, "Besides, it will come out of your partnership share any way." Anthony hated that comment. Whenever any out-of-the-ordinary expenditure by the Firm was authorized, Sherman would say, "It will come out of your partnership share anyway." Anthony was not too certain that it didn't. "What do we do next Sherman?" he asked.

"Let me think about this tonight. Let's get our litigation staff together on Monday at 10:00 am and get them working on an appeal in anticipation of the Judge's ruling while we try to sort this out. Have you told anyone else about this or has anyone else seen you with these papers?" Sherman asked. "No" answered Anthony, "The only person near these papers was the Judge's Clerk, but he knew I had been waiting for the Judge's Order all afternoon and would not associate me being there with the papers in the Court's in-box." "Good", said Sherman. Sherman paid for the drinks and the pair left the bar and did not speak until Anthony dropped Sherman at his house. "I'm getting too old to put up with this

sort of stuff Anthony. Get some rest, it will be a long week," said Sherman. "I'll be in early," Anthony said somberly and thought to himself, "I'm too young for this sort of stuff," as he drove off.

Chapter 8 - Follow the Money

Sherman Allen's San Francisco offices were located in the City's financial district on the 44th floor of one of the dozen downtown San Francisco skyscrapers. Anthony had called all of the Firm's senior litigation attorneys over the weekend to arrange their schedules to be in the office at 10:00 am Monday morning to review the insurance company litigation with Sherman. As he entered the office Anthony was greeted with a cheerful "Good morning Anthony" from a petite dark haired receptionist. "We are getting the conference room cleaned out for this morning's meeting. The coffee is not ready yet." "Thanks Stephanie," replied Anthony, "Is Sherman in?" "Yes, he is on the phone, long distance to London and not to be interrupted," Stephanie replied.

Anthony went into his office and turned on his computer. He was anxious to re-check his e-mail. He had spent virtually all of his time after dropping Sherman off Saturday afternoon looking for clues to the Monte Carlo bank account and corresponding PIN number. Anthony had asked a number of his friends to examine the spreadsheet, which he had prepared from Exhibit A, for patterns, which might give a clue to a bank account in a foreign bank. Anthony did not want to reveal to anyone the real purpose of his request. Anthony's e-mail revealed no additional information or clues from his network of friends. Anthony took off his coat, placed it on the hanger behind the door of his office and walked over to Sherman's office on the other side of the building.

Sherman Allen's office was cluttered with memorabilia from his travels throughout the world. Swords from Spain, a 14th century model cannon from France, woodcarvings from India, a battle standard from the horse races between Florence and Genoa inscribed with the Italian motto "IL NOSTRO GRIDO PER TE ALE GENOA ALE." (loosely translated our cry for you, go Genoa go),

pictures of 100-cannon English and French ships-of-the-line lumbering through heavy sea, paintings of Paris bistros, a Panamanian national orchid dipped in pure gold, and other items reflecting his eclectic tastes. Sherman had the nicest view in the office, a panoramic view of the San Francisco Bay Area, from the Golden Gate Bridge to the naval shipyards in Oakland; however, the breathtaking view was always hidden because Sherman rarely opened the window blinds while he worked.

"Yes, Sean, yes. Please see what you can do. I anticipate arriving in London on Wednesday morning. Just a moment Sean, Anthony has just come in. Anthony, check with Stephanie for your tickets. You're leaving in the morning for the Cayman Islands to meet with Ian Connolly, Sean's associate in Cayman and a Deputy Secretary to the Crown Governor." Turning his attention to the telephone, Sherman said, "All right Sean, if we developed any additional information, we will send it by overnight courier. Secrecy and discretion are paramount in this exercise." Sherman carefully replaced the telephone in its cradle and turned to Anthony.

"Sean has agreed to start looking for wire transfers from Barclays Bank Cayman through London. He is tied up with a matter involving Lloyds London, but he will arrange with Jay Griffiths to gather whatever resources he can to help us. He will also arrange for you to meet his correspondents in Georgetown on Wednesday. Without any guarantees, he believes that we can establish the identity of the person, or persons, who opened the bank account and the source of funds deposited. "It is better to be lucky than good," said Sherman.

"Ian Connelly's boyfriend is a Vice President for Barclays Bank, Grand Cayman. It will be up to you to attempt to authenticate the information, which they provide you about the account and the persons involved in opening of the account. Any document sealed with wax, ribbon or gold seals will do. Pack well because after you have met with Connelly, you will fly back to Miami and take a flight to Paris. I will be waiting for you at the Ritz Hotel with whatever information I can get from our London contacts. I know a former barrister who

has insurance and banking connections which we can use to target the Monaco accounts."

"It's a little after 4:00 in the afternoon in London. Please see if you can reach Lord Wadsworth Kensington, Q.C. He has connections with Munich and Monte Carlo financial centers. As a young barrister, Kensington assisted a Professor Knight-Jones in tracking 300,000,000 pounds sterling embezzled from Bank of England in Hong Kong and laundered in Monte Carlo." Anthony remembered Judge Wadsworth's daughter. Susan had entertained them at the Wadsworth's summer home in France on the outskirts of Avignon for five short days last summer. Anthony never thought of France without thinking of Susan, a fact that he never mentioned to his wife. Anthony looked forward to renewing the acquaintance.

Anthony verified that Stephanie had made the necessary hotel and flight reservations in Georgetown and reminded her that he could not leave for Paris until his business in the Cayman Islands was finished. Anthony called Lord Kensington's office and asked for the Judge. The Judge's Clerk, in a very English accent, politely informed Anthony politely that the Court was still in session. Anthony left a message for the Lord Justice, picked up a yellow legal pad and joined the rest of the litigation staff in the office conference room.

Sherman arrived and without ceremony began delegating assignments to the staff. "Anthony and I will be out of the office for the next week or so. In the interim, I want all of you to assume that Judge Letterman, the Judge in the mold litigation will issue an order consistent with her tentative ruling. John, Steve and Sandy will concentrate upon the Points and Authorities challenging the Judge's legal conclusions. Tim, you and Jim will be responsible for preparing the record on appeal. I will set up an encrypted e-mail account for all of you to provide me with updates on your progress or any emergency developments while I am out of the office. Post all memos there at the end of each day. If I have any comments, I will give them to you by reply e-mail.

If you do not hear from me, assume that I agree with you and proceed

forward". Sherman paused for a moment and in a softer tone said, "I realize that this will create a major headache with your current caseloads; however, remember that a number of our client insurance companies could be driven into bankruptcy by this decision. Any questions?" After a short pause, Sherman started out of the room, turned and said "Anthony before you leave for Miami, prepare a preliminary Motion to Stay the enforcement of the Judge's Order pending the filing of an appeal."

It was a tribute to Sherman's ability to crystallize the issues and direct his staff in clear and precise language; he was at his best in difficult situations. There was some grumbling among the staff, but all were resigned to put in their customary 12 to 13 hour-days, however, they knew that they would meet Sherman's requests. Anthony was proud to work with this young group of professionals. Anthony worked on the Motion to Stay the enforcement of the Judge's Order through lunch and into the afternoon without stopping. He completed his dictation, placed the tape cassette into a folder, gave it to Stephanie and told her it was a rush. "I need this before I go home tonight, will that be a problem?" "No, of course not," she said. "Mr. Allen came by earlier and asked that you come to his office when you finished your dictation." "Thanks Stephanie," said Anthony.

Anthony went into Sherman's office and found him at a table near his desk staring intently at his laptop computer screen. After leaving the Marine Corps under dark circumstances that he never discussed, Sherman had earned a bachelor's degree in Electronic Engineering that explained why he had just about every electronic toy available. His laptop computer was state of the art. Sherman was legendary in his ability to supervise the entire office operations and actively participate in complex litigation matters from a hotel room in Paris or London.

Sherman's concentration was such that he rarely noticed when someone came into his office. Anthony shuffled some papers and Sherman jumped. "Anthony sit down. I'm sorry that I was so abrupt with you this morning. I have been trying to put my files in order since we will be out of the office for at least

the next two weeks. I wanted to discuss our strategy in pursuing the good Judge."

"I have learned that all wire transfers from Caribbean banks go through an exchange in London, England, where they are routed through various financial centers in Belgium, Paris, Munich, Berlin, and throughout Europe to their ultimate destination, and in our case, to Monaco. Since we know of the Barclays Bank Cayman account number, we may be able to track its destination in London and identify the bank in Monaco.

Lord Justice Wadsworth or his team, without breaking any British banking laws, may be able to identify the Monaco bank. We can compare the numbers on Exhibit "A" to the accounts and verify the transfer of funds. Right now that is all we have to go on." "How will this information develop proof sufficient to establish that this particular Judge is accepting this particular money from unidentified third parties and how will we establish that the money transferred to her account is consideration for her decision to rule against our clients?" asked Anthony.

"If we can establish that *Peterson, Daniels, Rubinstein & Greene* transferred \$10 million into an account in the name of Judge Letterman anywhere in the world, the federal authorities and the California Judicial Council will do the rest of the work for us. Besides, all we have to establish is that there is "the appearance of impropriety" to challenge her hearing any matters related to this litigation; however, I want to have a substantial basis for the challenge and the challenge has to be filed with the Presiding Judge before her ruling becomes final.

Certainly, your testimony, the Cayman Island Account and an actual cash transfer of \$10 Million dollars should be enough to challenge her for the appearance of impropriety. This is why I want you to go to the Cayman Islands and attempt to secure certified documents that will evidence the establishment of the account in Barclays Bank Cayman. I will work with Judge Lord Wadsworth in an effort to identify the bank in Monaco."

"The office manager is preparing an advance of \$5,000 in traveler's checks and cash for expenses. You have a flight to Miami early in the morning where you will transfer to Cayman Airways, which will take you to Georgetown, Grand Cayman. Remember, you will be traveling against the clock. When you arrive, call Ian Connelly and arrange a meeting away from your hotel. Try "Captain Jack's" it is a small tavern between Georgetown and the Grand Hyatt where you will be staying. It should not take you more than a few days to secure the necessary documentation. Call Stephanie when you are done and she will schedule you on a direct flight from Miami to Paris. I will meet you at the Ritz Hotel at Place Vendôme on Friday or Saturday.

After that, we will play it by ear, depending on what information we can develop. You may recall Philippe De Merens, the French Englishman, at the Rendezvous de Septembre last year." "Yes, the fellow with the red mustache," said Anthony with a smile. "The same one. He is connected to Ministry of Finance and may be able to assist us. However, you know the French, it's hard to establish a sense of urgency, but we cannot give up the resource," said Sherman. "Maybe we can appeal to his English side," said Anthony. "Yes, the only thing that appealed to his English side was your lovely wife as I recall," said Sherman. Both men laughed remembering how taken Philippe was with Anthony's wife at the various receptions at the convention.

"Anthony, you have uncovered a terrible abuse of the judicial system," said Sherman as he toyed with his good luck charm, the heavyset solid gold ring on his finger with an inset 1812 Napoleon 20 franc Gold Coin. "I'm certain that this is not what you expected; however, think of the adventure. Over the next two weeks you will travel to the Caribbean, Paris, the south of France and Monte Carlo, all expenses paid," said Sherman.

"This may sound a little selfish," Sherman added, "But I have not been so jazzed about anything this much in years. I turned 60 last September and have been dying of boredom until I talked to you Saturday. This will be a vacation

rather than work, I was so excited that I could not sleep last night. If I don't talk to you later, I'll see you in Paris on Friday."

Anthony took his cue, as Sherman turned to a large stack of papers on his desk, and started out of the room. Anthony could see the energy radiating from Sherman; he certainly did not look bored. Sherman placed the documents that he had been reading back on his desk and turned to his laptop computer and started adding the traveling software programs that he relied upon in keeping contact with his office. Out of the corner of his eye, he watched Anthony get up and make his way quietly out of the office.

Anthony was surprised at Sherman's comments. It never would have occurred to him that Sherman was not having the time of his life in directing the day-to-day operations of the Law Firm. The shock of learning that a sitting Superior Court Judge could be bribed had worn off. Anthony was starting to get excited about the plan Sherman has set in motion. He looked forward to visiting the Cayman Islands and working with Sherman in Paris and Monte Carlo. Anthony would not say so directly, but he admired Sherman and was pleased that Sherman had included him in this project. Not the project, the adventure.

[CHAPTER 9 - Second Thoughts](#)

"Good afternoon Judge Letterman," said a man with a heavy Texas accent. "This is John Thistle. The President has asked me to convey to you the news that he will announce in the morning that he will be re-submitting your nomination to the Senate for the position of a United States Federal District Court Justice. We are going to give those liberal senators a thrashing in the press. With any luck, the Senators from California will not pursue their filibuster to prevent your nomination." Judge Letterman did not recognize the person on the telephone and with some skepticism asked, "Has Grant Daniels been informed of this development?"

"Yes, the President spoke with Mr. Daniels earlier this morning. The President understood that you are having second thoughts about pursuing the

nomination and wanted me to contact you immediately to confirm that we are all working under the same agenda." "Of course," she said, "I look forward to working with the nominating team. When can I expect to hear from the Senate team leader?" "They will be in contact with your office within the next 48 hours. In the interim, you may want to brace yourself for the California Democratic bleeding heart liberals. I am certain that they're going to come out of the gate squealing like stuck pigs."

She listened to the President's messenger without hearing any of the dialog during the last 10 minutes of the telephone call. She had just spent the morning fantasizing as to how she was going to spend \$25 million and contemplating her new lifestyle. She could not believe that the President was going to make any effort at all to attempt to secure her a place on the federal bench. Now, everything was reversed. She would have to get hold of Daniels and tell him that the entire plan was off. "The President had understood I was having second thoughts?" She yelled angrily, "Damn you Grant. You tried to convince the President not to resubmit my nomination."

She was furious and was thinking of ways to punish Grant Daniels for putting his interests ahead of hers. She was more than furious. She trusted very few people. Grant was her most trusted confident. To learn that he was discouraging the President from advancing her appointment to the federal bench made her tremble with anger. "That son of a bitch," she said aloud, "He is using me." She felt her face getting flush and her heart starting to race. She reached for the telephone and dialed a number she had called all too frequently in the past six months. The pressure of making rulings on the law, on the complex legal cases before her coupled with the withdrawal of the Presidential nomination had been making her irritable and difficult to work with.

She had become demanding and unsympathetic to her staff. She did not notice her more frequent bursts of anger from the bench or that her colleagues were starting to exclude her from their discussions about developing trends in the law and procedural Courtroom issues. Her only concession was an awareness

of a growing frustration, the source of which she could not quite identify. The only release for her emotions was the hours of vigorous exercise at her private health club, the LA Fitness Center.

"Albert. I need to come in for about an hour, can you fit me into your schedule?" she demanded. Albert Kellberg was a six-foot tall, 32-year-old former Austrian swimmer who had qualified for the Austrian Olympic swimming team but lost his moment in history when a teammate dropped a 50 lb. weight on his foot. Albert recognized Judge Catherine's voice and recognized that it was laced with the normal anger and frustration. She was his best customer. Over the past months, she had become a regular at the fitness center. He recognized that the unhappiness in her life could be forgotten by a vigorous workout, a workout that he enjoyed providing. "Of course Judge Catherine, I will see you at the fitness center in 45 minutes," he said. "Thank you Albert," she said. She was already feeling better in anticipation of a hard work out.

She dialed the phone again. "Mr. Daniels please. Judge Letterman," she said in her most formal voice. "Mr. Daniels is not available. May I take a message?" "Tell Mr. Daniels that Judge Letterman wants to see him this afternoon, in her Chambers," she said curtly. She hung up the phone, picked up her purse and rushed out of her office to the fitness center.

She hated the women's common area. The women were rude and always self absorbed. She received little if any of the deference to which she was accustomed receiving in her Courtroom and the facilities offered little privacy. She constantly compared her 55-year-old body to the other women, mostly younger athletic women in various stages of undress and felt she was lacking. It had become an obsession with her and she sought to utilize the fitness center in the early afternoons when the facility was not crowded.

She changed into her designer gym shorts, picked up a bottle of LA Fitness Center water and walked to the weight room looking for Albert. There he was, patiently leaning against the barbell racks, tall, athletic and Austrian. "Judge Catherine, you look marvelous. What shall we do today?" he asked with a broad

smile. She returned an insincere smile and said, "I would like an aggressive program today." He led her over to a series of treadmills, punched in a series of instructions into the machine and then motioned her onto the treadmill.

She started to walk as the treadmill moved beneath her feet at several miles an hour in an endless path of rubber. She found herself starting to sweat and to breathe heavily. She stopped thinking about Daniels, about the Presidential nomination, about the \$25 million, even about Linda. After about 20 minutes, Albert asked, "Wasn't that fun?" He shut the treadmill off, led her to the weight training area and handed her a set of barbells.

"Let's do some bench presses and squats," he said. Albert could see that the good Judge Catherine Letterman was attacking the barbells with a ferocity he had not seen before. When she had completed the routine, he asked. "Now, wasn't that fun?" She had grown to hate that expression. At times she suspected Albert enjoyed watching her struggle with the weights. He would add just enough extra weight to make it difficult and cause beads of perspiration to roll off her face and into her eyes. "Let's try something new," he suggested.

Albert walked to the corner of the room and came back with what appeared to be a large cloth padded square. "All right Judge Catherine, let's try some kicks." "Kicks?" she asked. "Yes, something simple. You stand in front of me and kick into this pad as hard as you can." This sounded interesting. She positioned herself in front of Albert quickly and smoothly lifted up her right leg and kicked directly into the pad. To her astonishment, she had caught Albert off guard and almost made him lose his balance. "You have done this before. And very well I might say," he said with a smile. "Let's try again."

This time Albert braced himself as the Judge lunged herself repeatedly against the pad. "Very good, keep your head up. Look at my eyes when you kick. They will tell you if you have unbalanced your opponent," he said. After fifteen minutes of kicking, she was exhausted. She was pleased that she had picked up a new exercise without too much effort and, more importantly, she discovered that she had good balance. She felt wonderful. She felt in control of her frustrations

and her hateful emotions had vanished. She thanked Albert, showered and went back to her office ready to deal with Grant Daniels and to confront him regarding his opposition to her nomination.

Grant Daniels received the Judge's message with some apprehension. From the tone of the message, he knew that she was angry about something. Daniels had known her for over 20 years and knew most of her mood swings. Daniels did not consider her his friend, at best he was her confidant, and only because she could find no other. Over the years, he had helped her move through the unruly conservative circles of the Republican Party. She had certainly benefitted from his assistance. That confidence had taken Daniels 20 years to earn. Grant was not certain what the good Judge was upset about; however, for a moment he was concerned that she had changed her mind about the agreement and the litigation.

He thought to himself, "I know her well enough to know that once she makes a decision, she will not back out easily. She is too stubborn." Daniels was not comfortable with her unexpected summons to her Chambers. Daniels glanced across his desk for any messages from George. George was either in Paris or Munich making the arrangements to pick up the diamonds and Bearer Bonds for delivery to the good Judge. The transactions, moving money from various branches of the firm through the London banks and into the Cayman Island banks were complex and would be difficult to reverse. Grant knew that the judge could always back out of the deal at the last minute. Fortunately, there was nothing to tie the money to the firm, to Grant Daniels, to George or to the good Judge.

Grant asked his secretary to call him a cab. It was waiting for him by the time he reached the ground floor entrance to his offices. "To the Superior Court building at 100 South Commonwealth," he told the cab driver. The cab quickly reached the Superior Court building. Grant walked through the building security with relative ease, and then quickly took the elevator up to Judge Letterman's Courtroom. After thinking about the events earlier that day, Grant assumed that

the good Judge's call was related to the President's decision to resubmit her name to the Judiciary Committee for reconsideration as a United States District Court Judge. Daniels knew that it was not in her best interest to have her name submitted a second time. There were reasons why it was not to her benefit.

He entered the Judge's Courtroom. He had always been impressed with the large mahogany panels covering walls surrounding the Judges bench. Behind the bench was a large green, overstuffed leather executive chair. The deep dark imperial green leather chair was imposing, notwithstanding the fact that it was empty. Behind the green chair hung a 9 ft. diameter Seal of the State of California. The room was impressive and when the Judge was at her station, she was imperial. The Judge was the darling of the Presiding Judge of the Los Angeles Superior Court.

Grant knew that it would be a feather in the Presiding Judge's cap if Judge Letterman were appointed to the US District Court. Grant Daniels had little problem working with the Presiding Judge and getting him to issue assignments of the rare, but special complex cases to judge Letterman. Grant knew that those assignments would draw the legal community's attention to her skills and prowess as Superior Court trial Judge. The mold exclusion case was one of the largest and most complex matters before the Los Angeles County Superior Court. The case served as a forum for judge Letterman to display to the conservative Republicans who donated millions of dollars to Republican issues, her abilities to resolve complex and technical issues.

As he entered the Courtroom, the Judge's Bailiff looked up and said "Mr. Daniels, the Judge is expecting you." The Bailiff notified Judge Letterman that her visitor was in the Courtroom. The Judge's Bailiff waved Grant Daniels into the Judge's Chambers. As Grant opened the door to Chambers, he saw Judge Letterman standing stiffly by the window, erect and assuming the position of executioner. It was clear to Grant that she was not happy.

"Good afternoon Judge," said Grant. "I came as soon as I received your message." She waited for a moment and then looked at him directly and said, "I

spoke to the President's project manager for the nominations, and he indicated to me that the President had requested re-submission of my name to the Judiciary Committee for reconsideration for the US District Court Judge position." She paused for a moment, for effect, and then said, "He indicated to me that you opposed the resubmission of my name to the committee."

Grant was taken back slightly by the Judge's tone and the veiled accusation that she was making. However, that was only for a moment, Daniels was a long time trial lawyer and politician; he had faced more powerful people than the good Judge. The only negative thing the good Judge had on him was "his offer". Daniels composed himself. He sat down on the chair in front of her desk and said "Catherine, you have known me for many years. No one can say that I ever, in all those years, put my best interest before yours. I have done everything in my power to assist you in your career". He stopped short of saying, "You owe me one".

"Then why the opposition?" she asked. "A lot was going on this morning and I did not have the opportunity to call you in advance of the President's staff. Yes, the President had decided to resubmit your name for consideration to the Judiciary Committee. However, it is important to understand that there was a reason behind the President's request. The President had been forced by the California Senators to withdraw your name from consideration. You are high visibility and the controversy that the California Senators focused upon is what the President is relying upon to meet his objective.

The President has decided that he wants David Garcia of Houston, Texas, on the federal bench and, as a tactical matter, has decided to use you to divert attention from his nomination, as well as the energies of the California Senators, and have them focus their attention on you." "A diversion designed to sneak Judge Garcia into the District Court." In short, the President does not believe that the resubmission of your name to the Judiciary Committee will have any impact. He does not believe he will succeed, but he does believe that sufficient attention will be drawn away from Judge Garcia, and in the event of a close call, he can

cut a deal to withdraw your name again in exchange for no opposition to Judge Garcia's approval. "That son of a bitch," she said. She moved to her desk, pushed away the papers that were in front of her, put her elbows on the table and seethed in anger. "I am only going to be used as a pawn by the President?" she asked. "I'm sorry to tell you, Catherine, but that is the situation," said Grant softly.

Grant Daniels recounted to the Judge the details of his discussions with the President and the President's staff. The background of Judge Garcia was almost as strong a conservative Judge as she was. Also, he represented one of the first Hispanics to be considered for nomination as US District Court Judge of Texas. His appointment would add another conservative Republican Judge to the Federal Bench, owing his position to the President.

"He is not as controversial as you are, simply because in Texas many of the abortion issues never came up. But his underlying judicial philosophy parallel your decisions in California," explained Grant Daniels. Having diverted Judge Letterman's anger away from him, Grant Daniels made his move. Grant provided excruciating detail of the negative comments made by the President and the President's staff about her. Daniels also gave a blow by blow of his sterling defense of her character. Grant Daniels had fought the President of the United States to defend her honor and that was the only basis for his opposition.

"Grant, as always, you are right," in a softer but tense voice. "I don't mean to appear ungrateful, but I am just very nervous about this whole exercise and I drew some unwarranted conclusions as to your motivations." "I have known you for 20 years and you have always protected my interests, otherwise I would not have entered into the agreement about the litigation. From anyone else, I would not have listened to the offer much less accepted it."

Grant put up his hand and said "Wait, I want you to think over what I have said and to verify the information that I have given you. Get a comfort level before you make your decision. If you want to cancel our arrangement, simply let me know. It will be difficult to do, but we will put everything back to where it

was. As a practical matter, there is no record anyway. To track the funding would be impossible at best."

"All that having been said, I want to give you the opportunity to make a conscious decision as to our next course of action," said Daniels. "Thank you Grant. I do want to think about this. I will call you in a couple of hours, later today." Judge Letterman stood, Grant Daniels, reacting instinctively to the Judge's standing, like most lawyers instinctively rising. He knew he was being dismissed by the action. Grant Daniels thanked her for her generous comments and left the Judge's Chambers. As he walked out of the Courtroom, Grant Daniels was convinced that the good Judge would not under any circumstances withdraw from their agreement.

Judge Letterman reflected on being used by yet another man and, notwithstanding that he was the President of the United States, she knew that this meant that he had little or no respect for her by using her in this manner. She knew that Grant Daniels was correct and accepted everything he said at face value. She sat for a moment, picked up the telephone and dialed the telephone number that had been given to her earlier that morning by the President's representative.

"Hello, this is Judge Letterman. May I speak to John Thistle." She had almost said "Justice Letterman" but had caught herself. She had wanted the nomination to the federal bench more than life itself. She was angry, bitter and resentful. When the Southern drawl appeared at the other end of the line, she paused and said, "Hello, this is Judge Catherine Letterman. I would like for you to convey to the President of the United States my appreciation for his faith in me and his desire to resubmit my name to the Judiciary Committee for consideration. I have considered the matter carefully. I want to advise the President that I do not wish to have my name resubmitted to the Judiciary Committee for reconsideration under any circumstances. The previous months have been difficult, put a strain upon me, my family and my close associates. The impact upon my ability to carry on my judicial duties has been

compromised. I appreciate the President's efforts; however, my decision is irrevocable."

The man with the Texas drawl said "But wait, you don't understand ..." She interrupted by saying, "No, my decision is irrevocable. Please convey my appreciation to the President," and hung up the phone without saying goodbye.

She then dialed Grant Daniels' cell phone number, a number she had memorized years ago. She bristled with irritation when she heard his voice mailbox message. "Grant, this is Catherine Letterman, I have just notified the President's staff that I will not permit my name to be resubmitted to the Judiciary Committee for consideration. I will make arrangements to leave for Monaco in the morning. I will leave for Monte Carlo as scheduled. Thank you for all you have done." An hour later, Grant Daniels listened to the angry woman's message on his cell phone and said softly, "Have a good trip Catherine."

[Chapter 10 - Cayman Islands](#)

Anthony's wife was surprised when he came home in the middle of the afternoon and gave her the news that he was leaving the following morning for a two-week trip to Miami, Paris and Monaco. Anthony and his wife had traveled to a reinsurance convention in Monte Carlo several years before with Sherman. She had accompanied Anthony on trips to conventions throughout the country and had developed a special fondness for European travel.

She was visibly disappointed to learn that she could not go along on this trip. Overcoming her disappointment, Anthony's wife accepted Anthony's explanation that urgent business reasons did not allow time to arrange for her to accompany him on the trip. She knew that business trips were not particularly fun and usually consisted of watching her husband shift through documents and papers and sending numerous e-mails and faxes back and forth to his office. Besides, she thought to herself, it would be impossible to get her parents to watch the kids on such short notice.

The next morning, Anthony took a taxi to the San Francisco International Airport with a clear purpose and without any guilt over leaving an unhappy wife at home for two weeks. The four and one half hour flight from San Francisco to Miami was uneventful. Sherman had booked Anthony first-class seats. On domestic flights, first-class simply meant sitting in the front three rows of the airplane, in slightly larger seats and free cocktails for the duration of the flight. Anthony passed the entire trip trying to understand the Judge's motivation for agreeing to take money in exchange for a judicial favor.

Anthony arrived at the Miami airport, walked briskly to the south end of the terminal to the gate for his connecting flight on Cayman Airways and fifteen minutes later boarded the Cayman Airways flight 64 to Georgetown, Grand Cayman. The two-hour flight passed parallel to the island of Cuba, and Anthony could see the lush green jungles covering the island highlighted by the setting sun, the vegetation surrounded by sandy beaches and baby blue waters.

Grand Cayman Island, in contrast to Cuba, was a narrow 22 mile long island shaped like a giant bottle opener. The bottom of the island was a circular strip not more than four miles wide enclosing a shimmering white and blue lagoon approximately 40 square miles in size. Grand Cayman had been more commonly known in the 1700's as Las Tortugas.

The island was honeycombed with limestone caves and, when first discovered by Columbus in the early 1500's, had been populated by tens of thousands of turtles hence the name. It was rumored that pirates like Black Beard had hidden many treasures in and among the limestone caves and never lived to return to claim them. Anthony was seeking a different sort of treasure. Information. He hoped that he would not be disappointed.

Anthony reflected on the fact that vast majority of the residents of Grand Cayman were British nationals, who were following the age-old British tradition of the children of the rich or near rich British families making their fortunes in the fringes of the British Empire, what there was left of it. The "Brits" served 5 years apprenticeship as bankers and insurance executives for hundreds of file

cabinet banks and insurance companies domiciled in the Cayman Islands. The indigenous residents numbered less than 5,000 and, with minor exceptions, served as the common laborers and servants in the hotels and vacant million-dollar vacation homes lining the beaches of Grand Cayman Island.

The Cayman Airways airplane landed and taxied to a stop, a ramp was pushed to the side of the airplane. Anthony stepped out of the plane into a humid 92-degree climate. From the time he left San Francisco until he stepped out of the airplane, Anthony had been in air-conditioned luxury. As the warm northwest winds gently caressed his face, Anthony said to himself, "I guess I'm not in Kansas anymore!"

The Cayman Air terminal was a very small facility in the outskirts of Georgetown. Anthony gathered his bags and picked up the keys to his rental car and a local map. From a public telephone, he dialed the number for Ian Connelly, who answered the phone on the first ring. "This is Anthony Fortino," he said, "I was asked by our mutual acquaintance, Mr. Sean Jones, to call you upon my arrival." "Yes, of course, I am Ian Connelly. I have been expecting your call." "Can we get together and talk in private?" "Certainly," said Anthony, "where would you like to meet? I am told that "Captain Jack's" is halfway between Georgetown and the Grand Hyatt. I have a car and I can meet you there in the morning around 9:30, if that's convenient." "There it is," said Ian, "I will see you there."

Anthony drove from the airport through Shedden Road, the main street in Georgetown, and turned right at the first of the only two traffic lights in Georgetown, down Harbor Drive, to North Church Street toward the south end of the island. Anthony cruised along Seven Mile Beach for five or ten minutes, taking in the baby-blue waves softly lapping against an empty white sand beach. Anthony passed building after building bearing signs proclaiming Bodden Beverages, Bodden Construction Company, Bodden's Department Store, Bodden Funeral Services, Bodden Heavy Equipment Service, Bodden Realty, Bodden,

Truman, Rice & Company, and Bodden's Pizza and wondered who Mr. Bodden was.

Anthony drove in silence the five miles along North Church Street until he saw the entrance to the Grand Hyatt Hotel on the edge of Governors Harbor. He pulled up to the entrance and told the attendant that he was checking in and gave the bellhop his rental car keys. Anthony's luggage was efficiently removed from his car and taken to his room by a very proper English looking young man who informed him that all arrangements had been made for his room and checkout for his one to three-day stay. As Anthony picked up his room key, he learned that the rooms had been prepaid and that he had been identified to the hotel as a VIP who might get up and leave without notice. Anthony's rooms were spectacular with views of the ocean that rivaled those of Hawaii. The first thing he did was to confirm his airline reservations on the Cayman Airways flight to Miami on Thursday.

Anthony called his office in San Francisco, and Stephanie answered "*Allen, Peterson & Stein*, may I help you?" "Hello Stephanie, this is Anthony. Has Sherman left for London?" "Yes he has," she replied. "Before he left, he instructed me to book you on a direct flight from Miami to Paris on Thursday at 2:00 PM. I have confirmed your United Flight 964 reservations. Your tickets will be available for pickup at the United Premier counter at the Miami Airport by 9:30 a.m. tomorrow." "Thank you Stephanie, if he calls, tell him that I will try to reach him tomorrow afternoon or upon my arrival in Paris. I assume you will get me accommodations at the Paris Hilton, rather than the Ritz hotel. The Hilton is designed for American businessmen and is equipped with high-speed DSL connections. It will be easier for me to keep in contact with the office and the staff from there." "Whatever you want, Anthony, I will make the arrangements for you before I go home." "Thank you Stephanie. Now would you please transfer me to Sandy," asked Anthony.

Sandy was one of the young associates who was being groomed for partnership. Sandy had a Master's degree in Business Administration and was a

computer wizard. Anthony relied on Sandy's tenacity in finding answers and solutions to problems which Anthony considered were complex and difficult. "Sandy, this is Anthony. I need for you to try to find the bank account identity numbers of *Peterson, Daniels, Rubinstein & Greene*. I believe that they have accounts at the Bank of America in Los Angeles. Take a look through the files of the mold exclusion litigation. I recall that several years ago, we secured sanctions against *Peterson, Daniels, Rubinstein & Greene* and they paid the sanctions with a check from the Law Firms general operating account. Also, they may have paid for miscellaneous discovery copying."

"One account or all accounts?" asked Sandy. "All accounts. Please e-mail me any results as you develop them and Sandy, give this your top priority," Anthony directed. Anthony spent the next 20 minutes speaking with other staff members regarding ongoing projects, which he was responsible for overseeing. Anthony then called Sherman's number at the Royal Horseguards Hotel in London. Sherman had not checked in, and Anthony left a message telling him that he had arrived in Georgetown. He had made contact with Connelly and that he would call him the following morning with a report of his discussions with Connelly.

Having finished taking care of all of his mental assignments, Anthony decided to go out for a beer and looked through the Hotel directory. There was the Apollo 11 Club, the Cayman Islander Nightclub, McDoom's Club in Inferno, Hell, West Bay, the Rafaldos Club and finally the Treasure Island Resort. He decided on the Treasure Island Resort and drove the ten-minute drive back toward Georgetown. The Treasure Island Resort was a single story building which reminded one of an empty warehouse. If it were not for a 50-car parking lot that was full of late-model BMWs, one would hardly take notice of the building. Anthony found a parking place near the rear of the parking lot and walked to the front entrance.

He pushed the door open and entered a room with an unruly crowd of about 200 people who were milling about laughing and animatedly drinking beer,

talking and dancing. The noise from the too-loud sound system was difficult to bear until Anthony had consumed two Red Hook beers. Anthony enjoyed the ambience, especially the dancing couples in the middle of the room. The room was filled with dozens of young, attractive, scantily dressed girls who had a little too much to drink and as a result were genuinely delightful to talk to.

On the dance floor, however, it was entirely a different matter. The majority of dancers consisted of young 22-year-old boy toys wearing revealing white spandex tights and accompanied by expensively dressed elderly gray-haired women whose average age exceeded 55. Anthony was not too surprised at the stereotypical grandmothers on the dance floor with young boy toys rhythmically moving to the music and occasionally rubbing their bodies against the squealing grandmothers.

The strobe lights made the moving bodies appear wholly surreal and had the effect of creating a dream like atmosphere to the dance floor. After the music stopped, the gray-haired women pulled their young protégés back to the tables to finish their drinks and to stroke the muscular arms of the young men, and occasionally to stroke or fondle the young men's muscular thighs. Anthony was certain that the young men were all earning their keep.

After a few drinks, Anthony decided to go back to the hotel and get some sleep. Besides, he did not want to draw attention to himself nor place himself in a situation where any of the young ladies on vacation from Miami beach might make improper advances toward him. He was married, but he was still a healthy viril man and did not want to be tested. Besides, he was here to gather information and get back to looking for evidence, which would support a challenge to the Judge.

Anthony went back to the hotel, checked his messages and went to sleep wondering how he had stumbled onto the dishonesty of the Judge. Anthony still could not believe that this brilliant Judge would place her reputation in jeopardy by these actions. Anthony tossed and turned the entire night, finally falling into a restless sleep at 1:00 am in the morning.

CHAPTER 11 - Captain Jack's

Anthony woke up at six o'clock in the morning and was still very sleepy. He was confused until he realized that it was the three-hour difference, between the east and west coast, which was giving him trouble. He showered, dressed and went downstairs and ordered breakfast in the hotel restaurant. He enjoyed the sunrise. He enjoyed picking the hotel guests who were marching out to the golf course (the older group) and those gathering for the catamaran ride to the edge of the reef where they would snorkel and feed the sting rays (the younger group).

At 9:00 a.m., Anthony asked for his car and drove back toward Georgetown passing a number of Bodden businesses until he spotted a small motley-looking building on the edge of the beach proudly wearing a red and blue blinking neon sign "Captain Jack's." The trip had taken all of 5 minutes. I could probably travel from one end of the island to the other in less than half an hour he thought to himself. Anthony figured that he would never find out who this Bodden character was. He assumed that Bodden was one of the natives, who had established his family line on the islands and some, or all members of the family, owned businesses on the island.

Anthony parked his car and went in the bar. After a very short trip, he was acutely aware that the air was warm and humid. Anthony was starting to sweat. "It's 12:00 noon somewhere in the world," he thought, and ordered a Red Hook beer. It was early morning and the bar, if you could call it a bar, was empty. It was furnished with six small tables with mismatched wooden and metal chairs and a bar that ran the length of the room.

The owners apparently did not stock very much liquor because there were no more than a half-dozen bottles of alcohol on the shelf behind the bartender. The beer was kept in a washbasin filled with ice. Anthony sipped his beer patiently until he saw a very British, tall thin man wearing a dark brown suit and a very English tie come through the door. "Hello, my name is Ian Connolly. I am with the Office of the Crown Financial Secretary," he said, offering Anthony his

hand. Connelly motioned Anthony toward one of the tables near the back of the bar, overlooking the beach. Anthony picked up his beer and followed Connelly to the table.

"May I please see some identification. One cannot be too careful about these things," he said to Anthony. Anthony reached into his pocket, gave his passport to Connelly and said, "Of course." Connelly inspected the passport and gave it back to Anthony. "I'm sorry, but the Attorney General and the Crown Administrative Secretary had insisted that I take all precautions. As you know, the privacy laws in the Cayman Islands are very strict. Two years ago, it would have been a felony for me to even discuss the things that we are going to review. As you know, the Crown has taken a very strong position on money laundering by any of the 700 plus banks and 25,000 companies registered do to do business in the Islands. The Crown Executive Council, formed to advise the Governor on administration of the island, has recently enacted legislation, which permits limited; I repeat limited, disclosure of information that may involve money laundering. The information which I am going to reveal to you is not official and is only being provided as an accommodation to Lord Justice Wadsworth Kensington, of the Royal Justice Courts in England".

"I understood that you had connections at Barclays Bank and that you would make certain discrete inquiries," said Anthony, "I was not aware that Lord Kensington was involved." "Why was it necessary for me to travel to Georgetown? Would it not have been easier to call us directly or mail the information to the Royal courts directly?" Connelly smiled, and whispered to Anthony "After I leave this room, this discussion never took place. There can be no record of any of the information which I am to provide to you." Anthony thought that perhaps Mr. Connelly had been reading too many cloak and dagger mysteries for his own good, but decided to humor him.

"What can you tell me?" asked Anthony. Connelly glanced about the room suspiciously and turned to Anthony speaking softly and deliberately. "We have made certain inquiries into the account number which you provided. We were

only able to do so because you provided us the personal identification number authorized to gain access to the account. First, we have determined that the Barclays bank account was opened by a certain George Rubinstein, two weeks ago with a \$10,000 deposit. The deposit was a Travelers Check negotiated by the Bank of America, Los Angeles, California, branch, account number 236147-356. Five thousand dollars of the deposit was immediately wire transferred to account number 731456B974, Cape of Good Hope Bank in Johannesburg, South Africa.

The Barclays bank account is to remain open only for 30 days, and then it is to be closed. Allegedly, the monies deposited into the account are to be used to fund the purchase of a condominium located on Seven Mile Beach. Upon completion of the purchase, the account is to be closed. A \$5,000 wire transfer was allegedly performed in order to verify that the transfer of the sales price to the seller in South Africa could be accomplished without incident. Barclays Bank charged the account \$4,000 in fees for its 30 days of banking services, leaving a balance of \$1,000 in the account. The account is in the name of Anderson Construction, the alleged purchaser of the condominium is expected to wire transfer the purchase price of the condominium into the account within the next two weeks, an amount in excess of \$25 million."

Anthony wrote down the number of the Travelers Check account number and the account number of the Johannesburg bank. "What else can you tell me?" he asked. Connelly smiled again and continued, "We have determined that there are at least 15 condominiums for sale on Seven Mile beach. The least expensive unit is listed at \$10 million, the most expensive is listed at \$35 million. The amounts seem reasonable. The ultimate owners cannot readily be identified because they are shielded by companies domiciled outside of the Cayman Islands.

At Justice Kensington's request, we have verified with the Cayman Immigration office the fact that a "Catherine Letterman" has never entered the Cayman Islands and a "George Rubinstein" was on Grand Cayman Island early last week for three days before he returned to the mainland. Mr. George

Rubinstein stayed at the Hyatt Hotel on North Sound and played a round of golf at the Britannia Golf Course. That is all the information that we have." Connelly had been efficient, concise and having discharged his mission, appeared ready to leave.

"Is there any way we can obtain copies of any of the bank documents?" asked Anthony. With a look of horror, Connelly replied, "Absolutely not! The privacy laws of the Cayman Islands will not permit that, do you understand!" Anthony thought that Connelly was genuinely shocked at his request, but decided to press his luck. "What about the travel information, the entry and exit of Mr. Rubinstein, can that information be provided officially?"

Connelly thought for a moment and said, "I believe so; however, the Crown Governor's Office will have to receive an official request for the information from a governmental source, such as your US police." "Thank you for the information, your government has been very helpful," said Anthony. "Lord Justice Kensington and my employer, Sherman Allen, also greatly appreciate your government's assistance. Please convey their thanks to the Crown Governor and the Attorney General." Connelly relaxed, smiled and said, "I have heard the Crown Governor speak highly of Mr. Sherman Allen and his many exploits. I hope I have the honor of meeting him the next time he travels to Georgetown."

"I must leave now. Is there anything else that we can do for you." "No thank you," said Anthony, "If anything else comes up, I am staying at the Hyatt hotel and will travel back to Miami on the first Cayman Airways flight out in the morning." As Anthony watched Mr. Connelly leave Captain Jack's, he thought to himself "What exploits?"

[Chapter 12 - Friends in London](#)

Sherman finished his Johnny Walker black. He had been thinking about the events over the past few days. He had not been able to sleep from the time the airbus left San Francisco. He was tired and he could see the lights of the cities along the coast of Nova Scotia. As he walked back to the airplane bathroom to

splash some water on his face, Sherman fumbled with the door, it would not open. He struggled with the door latch without success. Steve, the senior aircraft steward, politely touched Sherman's shoulder and said, "That's the closet" and pointed to the door next to the closet and said, "That's the bathroom." Sherman laughed and said, "Thanks, Steve. I know that you will not believe this but my chair does not work either." Both laughed. Reading the steward's nametag, Sherman said, "Steve, I'm not kidding, the thing does not work."

"They must think I have had too many Johnny Walker Blacks," Sherman thought to himself. Steve examined the back of the chair and pulled out a folded up newspaper. There, there's the trouble," he said. The control pad lit up and the chair reset itself. Sherman settled into the chair, set it for sleep. The chair slowly reclined and slid into the front part of the cubical and into a personal bed. Sherman adjusted his pillow and drifted into a restless sleep, thinking about how he was going to prove that the good Judge was accepting money for her decision and how he could tie the money back to Grant Daniels' Law Firm.

As the United Airlines Airbus approached the coast of England, it gently slowed from its 550 miles per hour cruising speed and the crew started making its preparations for landing. The absence of the constant drone of air rushing against the Airbus' skin awakened Sherman. The stewardesses were serving breakfast and Sherman could see the daylight preceding the rising sun through the open portholes of the aircraft. The pilot announced that the local time was approximately 6:30 a.m. and Sherman adjusted his watch as he got up and stretched. Sherman had fallen asleep as soon as the aircraft had left the continental United States.

The Airbus glided slowly to runway 56 East at London Heathrow, Sherman could see the roads leading toward central London congested with the early morning traffic. Over the last ten years, London had become another Los Angeles and lost most of its charm, he thought to himself. Sherman filled out of the Entry Card and made certain that he had the Express Pass that allowed all first-class passengers to special passport checkpoint lines at the airport. Sherman

grabbed his computer and smiled a thank you to the stewardess as he exited the airplane. After walking down several long hallways and down a ramp to the baggage claim area, he was pleased to see that his bags were among the first to come out of the conveyor belt. Sherman grabbed his bags and walked briskly through Customs Inspectors and out into the crowded terminal. He searched for the sign directing him to the taxis stands and, to his surprise, he saw a young man holding a sign with the words "Sherman Allen, Attorney at Law."

Sherman approached the young man and said, "I'm Sherman Allen." "Right you are sir," said the young man, "From America?" "Yes," said Sherman, "Who arranged the charter?" "Mr. Griffiths of Green, Concour & Co., Limited," replied the young man. "I am your driver during your stay in London. My name is Jeffrey." Jeffrey picked up Sherman's luggage and started toward a nearby exit. Standing by the curb was a shiny red and black classic London taxi. Jeffrey loaded Sherman's luggage into the driver's side of the taxi and Sherman stepped into the back. "Where are you lodging, sir," Jeffrey asked. "I will be staying at the Royal Horseguards Hotel, near Scotland Yard and the Embankment Station." Jeffrey pulled into the left side of the street and Sherman relaxed. He was tired from the eight-hour time change, and he knew that it was going to be a very long day.

Green, Concour & Co., Limited was an International Private Banking Service that had been founded by Professor Warwick Knight-Jones of St. Gallen University in Switzerland. Jay Griffiths was a financial specialist who had studied at Banque Paribas in London who had been hired by Professor Knight-Jones to handle the Private Banking Service's global asset management operations in Switzerland. They had offices and connections in Bahamas, Cayman, Gibraltar, Guernsey, Isle of Man, Jersey, Switzerland, Panama, Liechtenstein, Turks & Caicos, U.S. Virgin Islands, and the British Virgin Islands. Griffiths, Lord Justice Wadsworth and Professor Knight-Jones collaborated with the Crown Prosecutor and numerous Lloyds Syndicates to track cash transfers from insurance brokers located all over the world, especially

from the United States. If they could not track the money transfer from Barclays Bank Cayman, no one could.

As he stopped the taxi in front of the Royal Horseguards Hotel, Jeffrey gave Sherman a business card with his mobile telephone number. "I am 20 minutes away from your hotel, please call me. I am at your service while you are in London." The hotel door attendant unloaded Sherman's bags and carried them to the reception desk. Sherman presented his passport to the hotel Clerk, who smiled and said "Welcome back Mr. Allen. It's nice to see you again." Sherman picked up his room key, walked down the broad marble lined hallway, up a flight of marble stairs and turned into a narrow hallway to the building elevators. He took the elevator to the third floor and, after maneuvering a series of smaller hallways, he came to room 356. The room was typically English, sparsely decorated with two small beds pushed together to make up a king-size bed. The windows overlooked the river Thames. This was Sherman's favorite room.

Sherman reached for the telephone, dialed the direct number of Jay Griffiths. "Griff, this is Sherman. I have just checked into the hotel and would like to get together with you and Professor Knight-Jones to discuss my problem and fill you in on the little information that we have." Jay Griffiths was an expert mathematician and amateur detective, who had once been the president of a California life insurance company. Griffiths' partner in the insurance company had stolen millions of dollars from the insurance company leaving Jay holding the bag. After several years convincing the insurance regulators in California and Florida of his innocence in the million-dollar theft, Jay spent five long years developing computer models designed to follow the money which his partner had stolen.

Ultimately, Jay had traced what was left of the stolen insurance money to a bank account in Belgium and was instrumental in assisting Scotland Yard and the Royal Courts of Justice to put his partner in jail for 30 years. Scotland Yard was so impressed with Griffiths' computer models and his ability to track international wire transfers between banks that they hired him as a consultant to

assist in many investigations. Sherman had represented Jay before the insurance regulators in California and helped him stay out of jail for his partners crimes.

"Sherman, come on over. I will call Professor Knight-Jones and get him to sit in." "Great" said Sherman, "I should be there by 10:30." Sherman hung up the telephone and searched through his itinerary for the telephone number of the Grand Hyatt Hotel on Grand Cayman. He started to dial the Grand Hyatt Hotel and stopped. Sherman made a quick calculation, and concluded that given the time difference between London and the Cayman Islands, it would be 3:00 am. Anthony should be fast asleep. Sherman decided to call Anthony later in the day when it would be early morning in Georgetown, Grand Cayman.

Jeffrey pulled the taxi into the driveway of a large stone Victorian Hotel near Knights Bridge. Sherman thanked Jeffrey and told him to return in an hour. Sherman asked the receptionist to see Jay Griffiths. He was quickly ushered into a large conference room with several ominous looking computer stations, which were scrolling numbers too fast to be recognized. Sherman helped himself to a cup of coffee from a desk that had been arranged with biscuits and a variety of jams. "Sherman," said a loud booming voice. Sherman turned and saw his old friend Jay Griffiths.

Jay had put on a little weight, but was still a muscular and a very fit athlete of a man. Sherman knew that Jay never missed an opportunity to play with the local rugby team, which kept him in top physical form. "Griff, you've caught me starting to load up on your jam and biscuits." His old friend laughed and said "Sherman it looks like you have had plenty of jam and biscuits at home, a few more would not make too much difference." Sherman shook his friend's hand vigorously. As the pair was laughing, the door to the conference room opened and a thin young man entered the room. Sherman did not recognize him.

The young man looked older than his years because he was prematurely bald with large white eyebrows. Jay turned and said "Professor." Sherman was surprised that Professor Knight-Jones, a full Professor at St. Gallen University in Switzerland, was so young. It must be true that he was a child genius who

specialized in numbers theory at the age of 16. The good Professor also held several Doctorate degrees in engineering, computers, accounting and international banking.

"Professor Knight-Jones, may I introduce you to Sherman Allen, attorney at law, from California," said Griffiths formally. Sherman smiled and held out his hand that was received by a firm handshake from the young man. "Is that Dr. Knight-Jones or Professor Knight-Jones?" Sherman asked. The young man smiled and said, "The title of Professor has greater significance in Europe than a Ph.D has in the United States. My first name is Trevor. May I call you Sherman?" "Yes, of course," said Sherman.

"Now let's get down to business," Professor Knight-Jones said. "Jay Griffiths has filled me in about your United States Justice accepting money to influence her decision on a matter of law. He tells me that you suspect a certain bank account number opened at Barclays Bank, Grand Cayman, may be the source of the funds to be used to pay off the Justice, or should I say, Judge?" Without pausing, he continued, "Upon receipt of the account number from Jay, I was able to detect a wire transfer to a bank in South Africa. However, the amount was not very significant and of itself, would not evidence any wrongdoing by the bank in the Cayman Islands or in South Africa."

Sherman was impressed that the Professor had been able to secure the information that the government in the Cayman Islands was still trying to detect without success after several days of investigation. "Professor Knight-Jones," said Sherman, you are absolutely amazing." The Professor smiled and said, "Jay has developed a computer model which will track funds in or out of a known bank account rather easily." How much money do you think will be involved?"

"We are not certain," said Sherman, but we believe that it is in the neighborhood of \$10 to \$20 million. Our information suggests that the final account will be in a bank in Monte Carlo. We have a series of numbers which may correspond to the Monte Carlo bank and the personal identification number necessary to withdraw the funds." Sherman handed copies of the spreadsheet

developed from the discovery report that Anthony had removed from Judge Letterman's in-box and pointed out the account number for the Barclays bank Grand Cayman account and the corresponding PIN number. Jay Griffiths examined the other number sequences and said, "This will take a while." Professor Knight-Jones examined the various number sequences and said "If nothing else, we can quickly identify any European banks whose ID numbers match the sequences."

"We have been instructed by the Ministry to provide you with any assistance that you may require, but right now I have to meet with the Crown prosecutor on another matter. I will leave you in Jay's good hands. Where can we find you in the next three or four days?" Professor Knight-Jones asked. "I am going back to the Royal Horseguards Hotel and take a nap. I need to adjust to the time change. This afternoon, I want to meet with Lord Justice Wadsworth Kensington. I will try to catch him at the Royal Courts of Justice. If I cannot reach him, I have scheduled lunch with him at Lincoln's Inn tomorrow," said Sherman. "Good", said Professor Knight-Jones, "I have Justice Kensington's mobile telephone number. If I get any results, I will call him directly," he said as he left the room.

"You have a remarkable operation Jay," said Sherman. "We just like to have fun. Are you going to be in town long?" he asked. "Unfortunately not, said Sherman, "The plan is to take the train to Paris late tomorrow afternoon. I would not be too surprised if you have the code cracked before I reach Paris." Both men laughed. "Try to work your way back into London before you go back to the states and come over to my house, and I will prepare some barbecued pork chops and beans," said Jay. "It's still my favorite American dish," he said. Sherman smiled and pictured Jay Griffiths in a bright yellow apron barbecuing pork chops and drinking beer. Jay was truly happy whenever he was given a challenge; a far cry from the dark days after his partner had looted his company.

Sherman exited the building and, parked directly outside the front door, was Jeffrey waiting in the red and black London taxi. Sherman stepped into the taxi

and said "To the Royal Horseguards Jeffrey." He had made contact; they were working on his problem, time for a nap. Sherman dozed as the taxi made its way back to the hotel and upon reaching his room, took off his tie and jacket and uncharacteristically, went to sleep fully clothed. Sherman awoke at 7:15 in the evening, thought to himself, so much for contacting Justice Kensington today. I guess that I do not have the energy to keep going as I used to have. Sherman considered going out for a light dinner but decided to get some more sleep and try to adjust to the eight-hour time change and be clear headed for the next day's events.

Before going to sleep, Sherman decided to call Anthony. It should be sometime in the afternoon in Georgetown, he thought. Sherman called Anthony and was pleasantly surprised when Anthony answered the phone on the first ring. "Good morning Anthony. How is the weather in the Cayman Islands this afternoon?" "It's just like California except for the humidity," answered Anthony. "I have had some trouble adjusting to the time change. I am still operating on California time. I was just getting ready to leave for the airport and was hoping you would call. Did you learn anything from Mr. Griffiths?" A Nothing concrete Anthony. Nothing we can use as evidence. It appears that Griffiths and Professor Knight-Jones will be able to trace any funds to and from the Barclays Cayman Island Bank account to the account at the Cape of Good Hope Bank. They have agreed to monitor the accounts for activity over the next few weeks. Even if they do track the movement of moneys between the accounts, that fact alone will not help us."

"What have you found? Did you have any luck with Ian Connelly?" Sherman listened intently. Anthony told Sherman about the cashier's check used to open the Barclays account, drawn from a Los Angeles bank. That he had asked Sandy at the office to dig through the Law Firm's files for any checks written from *Peterson, Daniels, Rubinstein & Greene's* operating or their trust accounts to see if the bank or the account numbers match those provided by Ian Connelly and the Cayman authorities. Anthony reminded Sherman that George

and their Firm had been sanctioned by the Court several years before in the mold litigation matter and that *Peterson, Daniels, Rubinstein & Greene* had paid the sanctions to Sherman's clients directly from their operating account. "If the bank or the account number matches that of the cashier's check used to open the Cayman account and Griffiths and the Professor can track the \$5,000 transaction back to *Peterson, Daniels, Rubinstein & Greene*." "It's a long shot," said Sherman, but for the moment it may be all we have."

"Listen Anthony," said Sherman, "When you to get to Paris, see if you can locate the local branch, or branches of the Cape of Good Hope Bank in Paris. Get samples of deposit slips, counter checks, anything that will show the number sequences which they use in their banking system. We are dealing with account numbers and we want as many variations as they use." Anthony reminded Sherman that the office had booked a flight to Miami the next morning and that he would be on a 12:00 a.m. flight to Paris. "I will be staying at the Ritz Hotel in Paris, why don't you join me there?" said Sherman.

Anthony firmly pointed out to Sherman that the Ritz Hotel was a beautiful hotel, but that the telephone hotel's telephone wiring had not been updated since the Germans left Paris in 1945 at the end of World War II and he needed access to high-speed computer lines. Sherman laughed and said, "All right, when you get settled at the Paris Hilton, let's get together and I will update you on my success, or lack thereof, here in London. I will provide the Professor and Jay Griffiths with the account number you have secured and hopefully we will be able to turn up some substantial information. I should be in Paris by the time you arrive," said Sherman. "I only plan to be in Paris to talk to Philippe De Merens and ask his assistance in isolating the dozen or so corresponding banks in Monte Carlo that do business with banks in South Africa and that deal in diamond sales. You know that red-haired Frenchman is a wizard in the operations of banks and has a number of underground European contacts. Perhaps he can give us some ideas about getting hard tangible evidence on the bank transfers.

The connection to the Cape of Good Hope Bank may be a good start."

"Okay," said Anthony, "As soon as I check into the Paris Hilton Hotel, I will call you and I can either come to the Ritz or we can meet for dinner. Although, I expect that I will be very tired from the flight and will need a day at least to acclimate to the new time zone," said Anthony. "If you cannot reach me at the hotel, call me on my mobile. I have a new telephone, which operates, both in the U.S. and in Europe. I had Stephanie list the mobile number on your itinerary. Good luck Anthony."

Sherman was awake by 4:30 in the morning. After shaving, showering and changing into a fresh clean suit, he went down to the hotel restaurant where the evening hotel staff was getting ready to go home. The Royal Horseguards Hotel always kept a small but fully staffed kitchen for business travelers such as Sherman who struggled to make the time adjustments and was up early for coffee and breakfast. Sherman was surprised at the number of people having breakfast this early in the morning. After a breakfast of toast, watery scramble eggs, large sausages and lots of coffee, Sherman went back to his room, unpacked his computer and studied various reports that he had loaded onto his computer before he left for London. The time passed quickly and at 11:00 in the morning, he called Jeffrey's mobile number and asked him to come to the hotel and pick him up.

"To the Royal Courts of Justice," he said as Jeffrey pulled away from the curb. London was a remarkable city. From this small island of humanity, the British Empire had ruled the known world for 600 years. It represented the birthplace of America and the laws that governed the affairs of the mightiest of nations. The taxi passed Trafalgar Square, past the old India Company, responsible for precipitating the first grumbling of American Revolution, down the Strand to the Royal Courts of Justice. Sherman remembered and reflected on all of the reasons why he had become an attorney. Jeffrey stopped the taxi directly in front of the Royal Courts of Justice. Sherman gave Jeffrey a five-pound note and told him that he would find his way back to the hotel. With a smile, Jeffrey thanked him and promptly disappeared into the London traffic.

Sherman went into the entrance of the Royal Courts of Justice, past the security guards and up the stairs to the second floor Courtroom of Lord Justice Wadsworth Kensington. The Courtroom was empty, except for a lonely Bailiff who was locking the Courtroom. "I had an appointment with Justice Kensington," said Sherman "Is he in Chambers?" "Are you Mr. Sherman Allen, attorney at law, from America?" asked the Bailiff. Sherman smiled, "Yes I am." "Lord Justice Wadsworth Kensington instructed that I ask you to meet him for lunch at Middle Temple Hall," said the Bailiff. "Do you need directions?" he inquired. "No," said Sherman, "I can find my way. Thank you very much."

Sherman came out of the Royal Courts of Justice and walked up the Strand past Bell Yard, crossed the street to the Middle Temple Gateway, and walked through an iron medieval entry into a tunnel that opened into Essex Court. Middle Temple Lane ran past the Fountain Court to the Middle Temple Hall. The pathway had existed since the early 1300's when it was used to get from the Royal Courts of Justice to the water barges, the local taxi service to Westminster Palace. Sherman knew that he was late for his meeting with Justice Wadsworth, and he stepped up his stride.

This was a special treat for Sherman because lunch at Middle Temple Hall was reserved only for judges and lawyers who had studied law at this ancient private college of law. Middle Temple Gate was an unobtrusive break in the solid wall of buildings, which lined the Strand. Sherman smiled to himself as he turned down Middle Temple Lane past several young men wearing the traditional barrister's wig and thin black robe that was the uniform for appearing before the Justices at the Royal Courts of Justice. Sherman spotted Justice Wadsworth Kensington standing in the Fountain Court, near the entrance to the Middle Temple Hall.

Justice Kensington smiled and said "Sherman, how nice to see you again." Justice Kensington was a tall, elegant-looking Englishman with a head of white flowing hair that gave him a regal appearance in his traditional black striped business suit. Sherman had met Justice Kensington at an American-English

lawyer's convention ten years earlier and had invited him to his wedding reception at Trinity House across from the Tower of London.

At that time, Kensington had been a successful barrister who was being groomed to become a Justice of the Queen's Bench practicing at the Royal Courts of Justice, a position entitling him to be referred to as "My Lord Kensington." Sherman shared Justice Kensington's love of computers and the use of electronic devices for the presentation of complex litigation matters before the Royal Justice Courts. They had developed a friendship and Sherman enjoyed visiting Lord Kensington and his family at their summer home in the south of France.

"I think you are going to be happy with me," said Justice Kensington as he shook Sherman's hand and slapped him warmly on the back. "Does that mean you're going to buy lunch," said Sherman? "Absolutely, but I cannot tell you how much fun it was to track down your little mystery," he answered. The pair walked into the hallway of a traditional English home built in the 14th century. Paneled walls, brass doorknobs, handles and hooks accented the entryway. As they turned the corner, the main dining room appeared and Sherman could not overcome his immense pleasure being in a room where so much history had taken place. To anyone else, this was simply a large ornate room with long dining tables which one would anticipate finding in any college dining room. At one end of the large room, there was an elevated section where the Senior Justices would take their lunch. It was such an honor for Sherman to eat a simple buffet lunch at Lincoln's Inn, an honor which many English lawyers were currently attempting to dispense with.

It was a rule that every lawyer belonging to the Lincoln's Inn, or any other Inn of Court, was required to have lunch at Lincoln's Inn at least one time every calendar year regardless of where the lawyer practiced. That meant that if you were an English attorney posted in India, the Bahamas or any other part of the British Empire, you would be required at your own expense to travel to England at least once a year and have lunch at your school cafeteria. Unfortunately,

anyone else would have to be invited by, and have lunch with, a member of Lincoln's Inn to enjoy the honor. Sherman would have gladly borne the expense to travel to England and enjoy lunch at one of the Inns of Court if it were available to him.

Sherman went to the buffet and served himself some roast beef, rice and peas. As he returned to the table, Justice Kensington was beaming with delight, anxious to share with Sherman the results of his investigation. "Sherman, he said, as you know, Professor Knight-Jones owns a substantial interest in the Banque Paribas, London, on Deanery street. He is also head of the bank's Global Asset Management operations in Switzerland. The Professor has taken the document which you have provided to us and, as a class project for his students at St. Gallen University in Switzerland, conducted a series of computer simulations based upon the file numbers on your list and has identified a number of banks whose identity codes correspond to the numbers on your list."

"Wait, said Sherman, "I am not certain that I understand?" Justice Wadsworth Kensington reached into his pocket, pulled out his checkbook and pointed to the series of numbers at the bottom of each check. "You see Sherman; each Bank is identified in the European Bank Exchanges by a 12 to 16 digit routing number followed by the individual account number and a check number. Wire transfers throughout the system are accomplished by utilizing the 12 to 16 digit number which identifies a particular bank, in a particular country, and in a particular city."

"Yes," said Sherman. Justice Kensington continued, "The number which you identified as Barclays Bank Grand Cayman is a 12 digit number identifying Grand Cayman Islands and a 4 digit number identifying the Georgetown branch, Grand Cayman. In the past 48 hours, the Professor was able to identify half-dozen banks in Europe which match the series of numbers which Anthony provided to us." "How does this help us?" asked Sherman. "Identifying a bank does not constitute sufficient evidence for us to connect the transfer funds in that account to Judge Letterman."

"You are correct Sherman," said Wadsworth. "However, we can monitor the activity of transactions in these various banks electronically as a function of the 12 to 16 digit number. Professor Knight ran several simulations against activities in these various banks without much result. These accounts transfer hundreds of millions of dollars from the United States to Europe and around the world on a daily basis. The transfer of \$20 million between these banks would not even register as a significant event on a slow day."

"I do have an idea," said Wadsworth. "If you can find out what bank the Law Firm utilizes to handle its international banking operations, the transfer of \$20 million to anyone of these banks would be a significant event which might show up in the simulations." "Great idea," said Sherman, "I will have my staff make inquiries, and we should have the information within a few days. In the interim, has there been any wire transfer activity in or out of the Grand Cayman accounts?" "Nothing yet," said Wadsworth. "The \$10,000 deposit appears to have been made by Traveler's Check from a Los Angeles bank," said Sherman. "Anthony was able to determine that the account was only opened last week and a traveler's check was used to make the deposit."

As you know, the privacy laws are such that we were unable to document the identity of individual who opened the account; however, we do have some idea who the person was. We were lucky to get what we did." Sherman did not want to compromise his friends in the Cayman Islands and did not want to reveal to Justice Wadsworth that his counterparts in the Caymans were not being totally open with him. Although Sherman suspected that, the disinformation was more designed to protect Lord Justice Wadsworth Kensington than to deny him any information. The pair discussed Judge Letterman, the indignity of her actions and then dissolved into general legal philosophy and the latest computer technology.

"Unfortunately Sherman, I have to get back to work," said Justice Kensington as he finished the last three green peas on his plate. Sherman smiled picturing Wadsworth in his flowing red robe and in his white horse hair wig.

"Thanks for lunch, my Lord." Oh, by the way do you know a shop nearby that sells Pantherellas?" "Of course," said Justice Kensington, "Try the Burlington Arcade. They have an excellent selection of socks." "Thanks," said Sherman. "If you're free later today, are you and your lovely wife free for cocktails?" "I would love to Sherman but she insists on traveling to our house outside of London proper. She forces me out of the city by 3:30 in the afternoon. If you are free, would you stop by and have dinner with us." "Thanks for the invitation. I anticipate Anthony will arrive in Paris during the weekend. I plan to take a late train to Paris. I have wanted to try out the high speed-train ride under the channel, but on the way back to the States, I hope you will give me a rain check."

"Absolutely," said Justice Kensington, "And, good luck with Professor Knight-Jones." He rose from the table, signed the slip for lunch, and shook Sherman's hand. "If you have time, my daughter is at our house in Avignon and can put you up while you are in the South of France. It's only an hour or so from Monte Carlo. I know that she would love to have you come by," said Justice Kingston. "Please give her a call." He got up and rushed unceremoniously out of the room. Sherman watched the elegant Justice Wadsworth Kensington as he hurried back to the Royal Justice Courts to dispense justice, English justice.

Sherman went out through the Lincoln's Inn's Gates onto the Strand and looked for a taxi stand. I am in luck, he thought, as he saw a taxi waiting. "The Burlington Arcade, please," he said to the driver. Sherman wondered whether or not he was on a wild goose chase. There was very little adventure in comparing bank identification numbers through computer programs. It was almost like work. As the taxi approached, Trafalgar Square, Sherman said, "Instead of the Burlington Arcade, would you drop me off at the National Portrait Gallery?" "Right away sir," said the driver as he circled the large plaza filled with hundreds of people loitering around the large fountains and left Sherman off directly at the front of the museum. Sherman spent the next two hours lost among the greatest art treasures of the western world, dreaming of adventure.

Sherman made his way out of the Portrait Gallery through the cafeteria exit, which opened out onto Charing Cross Road. He paid little attention to the bright sunshine, the blue sky and lonely scattered clouds and, lost in thought, decided to walk back to the hotel and call Anthony. Sherman took little notice of the crowds milling around Trafalgar Square or the many large government buildings, which for many years had served as the offices of Scotland Yard.

Sherman considered stopping for a beer at the Sherlock Holmes Tavern but decided that he wanted to give Griffiths and Professor Knight-Jones an update of his discussions with Anthony. He called Jay Griffiths and recounted the information that Anthony had gleaned. After his telephone call, Sherman decided against the train to Paris and decided to take an airplane. It would give him a little more time to think out his course of action in the environment, which he loved, Paris.

Chapter 13 - Self-Appraisal

The flight from London to Charles De Gaulle took less than one hour. Sherman did not have time to reflect upon the efforts being extended on his behalf by Lord Kensington and his associates. Sherman understood that Englishmen have a highly developed sense of honor and that they were grossly offended that any Judge, American or British, would even contemplate accepting money in exchange for a favorable judicial opinion. That is not to say that Sherman believed that all Englishmen were principled and honorable people. As history had shown over the past 400 years, the English were not adverse to taking advantage of situations and exploiting entire countries if it benefitted their financial interests or increased their families' fortune.

Some of the largest and most grossly fraudulent transactions had been conducted by very proper English business bankers. Sherman honestly believed that had the Americans businessmen been placed in similar circumstances, they would not have presided over the looting of entire countries and the establishment of colonies throughout the world. Sherman firmly believed that

what distinguished the activities of the Americans from the British was the American legal system that kept most American businessmen under control. The English legal system was still infected with too many exceptions to the rules to provide the controls which the American legal system imposed on the conduct of business. In England, money really talked.

Upon arriving at Charles de Gaulle Airport, Sherman called the Law Offices of Philippe De Merens, an insurance and banking lawyer who specialized in embezzlement and money laundering. Philippe De Merens was not at his office, and Sherman left a message asking him to call Sherman's cell phone number upon his return. Sherman was hoping that Philippe would help him track down the Cape of Good Hope Bank, South Africa branch, in Paris. Sherman knew that the cash trail would ultimately lead to a bank in Monte Carlo; however, he also knew that the assistance of local experts might give him an edge in tracking the cash trail of the diamond purchase to European diamond merchants. It made sense to Sherman that moving cash into European banks and using them to purchase diamonds and Bearer Bonds would further complicate the money transfers and make it difficult to trace them to the source. Besides, Monsieur Philippe De Merens, when he was not working, was loads of fun and Sherman truly enjoyed his company.

As Sherman's taxi pulled off the Boulevard Peripherique (build over the foundations of the last great medieval stone curtain walls surrounding the ancient city of Paris) onto the Avenue del la Grande Armée, around the Place Charles de Gaulle and down the Champs Elysees, he was again filled with the magic and romance of Paris. He marveled at the buildings, the trees, the small shops, the cloudless sky and, most of all, the large number of people who filled the streets. Paris was a city where people were always out and about.

Sherman had been 36 years old before he ever traveled outside of the continental United States. Sherman had been promoted to Chief Counsel of the San Francisco branch office of a prominent Beverly Hills Law Firm. During the following three years, Sherman worked an average of 15 hours a day, seven days

a week. One weekend, at 10 o'clock on a Sunday evening, he received a call from the Senior Partner of the firm in Beverly Hills who proceeded to review with Sherman a memorandum that Sherman had prepared three months earlier. At the end of the telephone call, Sherman asked the Senior Partner how he had known that Sherman would be in the office at 10 p.m. on a Sunday evening. The partners reply was "Sherman, you are always at the office working late."

That evening, on the way home, Sherman fell asleep at the wheel of his car and drove it into a street light pole. Fortunately, Sherman was only traveling at 25 miles per hour and aside from the embarrassment of hitting a light pole, he suffered no injury. Unfortunately, Sherman's precious Datsun 240Z was totaled. As he waited for the tow truck to remove his car from the street, Sherman decided that he had been working too hard and needed some time off. The following morning, Sherman called the firm's Senior Partner and asked that he be paid for the vacations that he had not taken during the past three years and advised his boss that he was booking a trip to Paris in a few days and would be away from the office for several weeks on an extended vacation.

Sherman's first wife was not interested in traveling to a foreign country on short notice and was not interested in going to Paris. Sherman decided to go anyway and spent the next three weeks forgetting the pressures of the office, absorbing the life and culture of France. He walked for miles, spent countless of hours at small brasseries sampled dozens of European beers and ate at numerous large and small restaurants. During that month, Sherman wore out a pair of tennis shoes and must have walked 1000 miles in and about the environs of Paris. Thereafter, Sherman traveled to Paris every year in September to recharge his batteries and to explore the simplicity of another world.

After visiting Paris for over 15 years, Sherman's only disappointment in Paris came after he made the mistake of driving a car in and about Paris. To Sherman, "This Paris" was too much like being in Los Angeles or San Francisco on a busy day. Sherman rarely drove in Paris anymore and relied upon the train

system, the surface buses, the underground and the Paris taxis in an effort to maintain the feel and ambience of "His" Paris.

The taxi arrived at the Ritz Hotel. Two porters and the door attendant surrounded the cab and ushered Sherman to the hotel registration desk. The Ritz Hotel was so large and accommodated so many of the rich and wealthy in Europe that Sherman was never able to achieve a personal rapport with the management, notwithstanding the number of times he had stayed at the hotel. His one consolation was that he had met the Concierge of the Ritz Hotel on a golf course in Spain and counted him among one of his closest acquaintances in Europe. The Spaniard took a liking to Sherman and they spent many evenings in the Spaniard's condominium overlooking the golf course.

Whenever Sherman passed through Paris, he made a special effort to stop by and say hello. As Sherman checked into the hotel, a tall handsome, dark-skinned man came over and put his arm around Sherman. "Sherman, my friend, you did not call to tell me you were coming." "Juan-Gilbert how are you?" asked Sherman. "I did not know I was going to be in Paris. This trip was a last-minute thing. I am glad that you are on duty. I was afraid that you might be on holiday and I would miss seeing you." Juan-Gilbert smiled and said in a whisper, "I get off in one hour. Meet you at Harry's?" "Absolutely Juan-Gilbert," said Sherman, "I will be waiting." Juan-Gilbert smiled broadly and went back to his station at the Concierge desk.

Sherman waited in his room until his luggage arrived. Sherman unpacked a shirt and a suit and placed them on hangers in the closet for the wrinkles to work themselves out. He then made his way out of the hotel and walked to a narrow Parisian alley to the famous Harry's New York Bar, commonly known as Harry's American Bar at 5 rue Daunou. Harry's Bar was one of Ernest Hemingway's hangouts during his stay in Paris, early in his career as an American expatriate writer. Harry's American Bar was a small narrow dark mahogany paneled room with five or six tables at the far end of the bar. The walls were covered with Coats of Arms of various European cities and universities.

As American travelers began to frequent the bar, college pendants from every major university in the United States were added to the walls and the ceilings. If it were not for Hemingway's ghost lurking in the corners, it would just be another dark dingy bar in Paris next to a local dry cleaners. Whatever ambience it held, it derived solely from Hemingway's presence. There was a Harry's Bar in every major city in the world. Sherman had spent time in most of them from San Francisco, California, to Venice, Italy. When traveling, they had become a familiar refuge for Sherman from the constant press of business.

Sherman walked along the narrow 20-foot bar to the back tables and selected the table nearest the stairs. Frequently, Harry's Bar would become crowded, shoulder to shoulder with young men and women, which Sherman had lately noticed were becoming younger. The stairs lead to the men's rooms in the basement, and the location of Sherman's table minimized the effort of pushing and shoving one's way through the crowd to gain its access.

As he passed by the bartender, Sherman ordered a drink, and sat at the table wondering if a multimillion-dollar diamond transaction was of sufficient magnitude to draw the attention of Philippe or his associates. He felt as if he was chasing a needle into a haystack and the initial rush provided by the chase was starting to diminish. Sherman rarely became depressed when facing an insurmountable task. His training was that of an electronic engineer who truly believes that the impossible can be accomplished and that there exist no problems which did not have a solution. Sherman's Marine Corps service and Special Ops training gave him a will of steel and an unfailing determination to overcome problems. This training had served Sherman well in the practice of law and his success in overcoming obstacles of all types was legendary.

"Sherman, I thought that I would find you here," said a high-pitched voice. "Philippe," said Sherman as he rose and grasped the man's shoulders, you have not changed a bit. I hope I did not interrupt any serious business, but I desperately need your help and expertise." "If you need my help, it must be something serious," said the short thin man with the exaggerated bright red, handlebar mustache. "How are Anthony, and his lovely wife?" "They are just fine. You certainly made an impression on Anthony's wife by taking them to your private club last time they were in Paris," said Sherman. "Marvelous dancer, she was," said Philippe smiling to himself. "Now, how can I help you?"

Sherman signaled to the bartender, ordered a drink for Philippe and began to tell him about the Judge, Anthony's discovery of the plan to bribe the Judge, the existence of the various bank accounts and finally that some of the money was to be used to purchase diamonds as part of the payment to the Judge. Philippe was accustomed to dealing with these types of situations and was not particularly impressed with either the amounts of money that was to be paid to the Judge nor the various transactions designed to hide the source of the funds. He listened quietly and when Sherman had finished with his story, he reflected on what Sherman had recounted and said "Sherman, you know that I have certain contacts with less than honorable clientele. I will make the necessary inquiries; however, the traffic in diamonds in the European market, especially illicit diamonds, makes it almost impossible to establish any hard evidence regarding their purchase or ownership. The system is designed to be self extinguishing and aside from the transfer of money for the diamonds, written evidence of the transactions simply will not be generated."

"I trust your judgment on this, but why are you so certain that the purchase of four or five million dollars in diamonds cannot be detected or be traced back to the purchaser?" asked Sherman. "Illicit South African diamonds can be funneled directly through Antwerp right under the noses of the world's largest diamond traders and polishers," said Philippe. "Diamond-trading houses are losing millions of Euros to illicit diamond traders who use the proceeds to

finance deadly conflicts in Angola, Sierra Leone, Congo and Liberia. However, the major trading centers have been slow to establish rules to track the origin of diamonds." "Yes, the illicit diamond traders have not hurt the industry's image very much," said Sherman.

"Diverting a few million in illicit diamonds from the system utilizing legitimate traders performing illicit trades is impossible to trace, and those transactions are made under circumstances where the participants have a strong self-interest in denying that the transaction ever occurred. Evidence of the purchase of diamonds in this manner is self-extinguishing, not a single shred of evidence exists which could directly or indirectly implicate the source of the funds for their purchase, or your Judge as the recipient, or the lawyers as the source of the funds," said Philippe. "I will make the necessary inquiries. Perhaps we will be able to identify the diamond traders or polishers and direct you to the bank, or brokers, who initiated the transaction. I doubt that I will be able to get more information than that." "Thank you Philippe," said Sherman "Any piece of the puzzle will help."

As if on cue, Juan-Gilbert appeared at the table and said, "What is everyone looking so serious about?" "We were trying to determine which one of us was going to get you to buy the next round of drinks," said Philippe. Juan-Gilbert turned and called to the bartender "Lecere, another round of doubles for my friends." Sherman spent the next two hours laughing, joking and reminiscing about good times in Monte Carlo, Marbella, Madrid and Paris. Sherman had not seen Philippe or Juan-Gilbert in over a year, yet they talked and laughed as if they had spent their entire lives together. Sherman did not have very many close friends, but his acquaintances were closer and more loyal than he deserved. At this point in his life, certainly at this moment in his life, he felt himself to be fortunate among men.

Sherman's cellular phone came alive and Anthony's familiar voice said "Hi Sherman. I have checked into the hotel. I am a little tired from the flight, but I would like to stay awake for a couple more hours or else my biological clock

will not adjust properly." "Great," said Sherman, "Why don't I meet you at the l'Alsance Brasserie for a light dinner in about 45 minutes." "Gentlemen, duty calls," said Sherman. Juan-Gilbert and Philippe, although more than willing to continue the party until well into the morning hours, also had to face two strong-willed wives who would be unhappy that they were not invited to the festivities. Sherman embraced Juan-Gilbert and Philippe with energetic bear hugs and left with promises to get together in September.

Sherman walked to the Boulevard Madeleine and located a taxi stop. He waited patiently until one of the Parisian taxicabs circling the block decided that Sherman had been waiting long enough to receive the honor of being transported by his taxicab. Sherman gave directions to the l'Alsance Brasserie and admired the stately buildings, which had, until a few years ago, borne necklaces of bullet holes, scars earned proudly during the liberation of Paris in World War II.

Sherman's cellular telephone rang, and to Sherman's surprise, it was Professor Knight-Jones. "Sherman, we have developed some interesting information, and I would like to ask you to meet me in Munich tomorrow morning." "Of course," said Sherman, "Is it something that we can talk about over the telephone?" "I would prefer not to discuss this over unsecured lines," replied Professor Knight-Jones, "Perhaps I'm being overly cautious. Too much time with the government you know." "I understand," said Sherman, "Where do you want me to meet you?" "Let's get together at the Kempinski Hotel around 12 o'clock." "I will see you there." Professor Knight-Jones's call had raised Sherman's spirits, perhaps we have a breakthrough, he thought to himself.

The taxicab arrived at the l'Alsance Brasserie and Sherman spotted Anthony standing by the front entrance. Anthony smiled as he watched Sherman get out of the taxicab and walk briskly toward him. "Anthony, how was the trip," asked Sherman. "Long and tedious. I did not expect to get here so late in the day. I took a nice nap on the taxicab from the airport to the hotel and I'm ready to go to sleep now," said Anthony. "You will adjust quickly. You are still young. Let's go inside and get a table," said Sherman as he walked into the restaurant.

Sherman had the air and look of a local Parisian. The maitre d', with an air of recognition, promptly led the pair to a table by the window overlooking the pedestrian traffic on the Champs Elysees. Sherman listened again to Anthony's report about his activities in the Cayman Islands and brought Anthony up to date on the events in London and Professor Knight-Jones request for a meeting in Munich.

"It does not appear that we will be able to do much to establish a link between any diamond transactions and Judge Letterman," said Sherman. "The best that we can expect to do is find it the Cape of Good Hope, South African bank here in Paris, and check out their new account procedures. In the morning, locate the Cape of Good Hope bank and make inquiries into opening an account on behalf of one of our clients," said Sherman. "Perhaps, we can glean some information as to what it takes to open an account here in Paris and attempt to find out if George or his Law Firm have taken similar steps," said Sherman. "I know it's a long shot, but at this point, we still do not have very much evidence which we can use to prove our case against the Judge. Unless Professor Knight-Jones has any new leads for us, we still do not have any hard evidence. I do not expect to be in Munich for very long. Let's get together upon my return, take the TGV to Marseille and rent a car to get us to Monaco."

Anthony listened, but he was getting sleepy. Anthony was impressed with Sherman's energy. Here he was operating at full speed five-time zones away from home and still thinking clearly. "Sherman, you go on to Munich and I will search around Paris for the Cape of Good Hope Bank. By tomorrow, I should be in better shape, and when you return from Munich, I will be ready for the train ride into Marseille." "Anthony have you called the office and gotten any feedback on the check bank number or the whereabouts of the good Judge?" asked Sherman.

"I spoke with Sandy when I landed this morning and he tells me that our investigator in Los Angeles has uncovered reservations in the name of Judge Letterman from Los Angeles to Nice with a stopover in Paris." "Excellent," said

Sherman, "Another piece of the puzzle. Judge Lettermen is on her way to the proverbial scene of the crime. I will try to locate a private investigator in Monaco to keep surveillance on the Judge upon her arrival. Do you know when specifically she is expected to land in Nice?" asked Sherman.

"No, Sandy had a very difficult time getting the information which he provided to us. For all we know, Judge Lettermen may be staying in Nice and not in Monaco. I recall George mentioning a Villa. In this part of the world, there must be hundreds of isolated Villas which Judge Letterman could lease without being noticed," said Anthony. "One step at a time Anthony," said Sherman. "I expect to find George Rubinstein in Monaco at exactly the same time as Judge Letterman. I have friends in Monaco and if either of them shows up, I will know about it," said Sherman.

Sherman had the maitre d' call Anthony a taxicab. "Get a good night sleep Anthony," said Sherman. Anthony smiled and waved as the taxicab pulled away from the curb taking him to a well-deserved rest from all the excitement. Sherman sipped his glass of wine and reflected upon his career. Surrounded by the carefree opulence of Paris, Sherman wondered if his life had been a successful life. Sherman made a base salary of over \$500,000 per year, which was generously supplemented by bonuses based upon the success of the Law Firm.

Sherman himself never truly felt successful, partly because he had never achieved high public office, nor had Sherman achieved the status of a millionaire as many of his associates had. Sherman had worked very hard over the years, never really getting close to many people. He had tons of acquaintances but very few close friends. Sherman had never learned to confide in others, and although he could enjoy their company, he rarely sought advice as to the direction of his life. The mood of melancholy disappeared as rapidly as it had appeared. Sherman decided that the l'Alsance Brasserie bar was not the proper place for contemplating life's successes or failures. Sherman paid his bill, left his half-full drink and took a taxicab back to the Ritz Hotel.

The ambience at the Ritz Bar would provide a better forum for his contemplation. Sherman paused as the gold embossed glass door was opened by the uniformed Ritz door attendant. He walked down the hall, passed the reception and turned toward a nondescript entrance thinking to himself, "How many times have I been here alone?" He could hear the sound of the piano as he entered and, when his eyes adjusted to the subdued light, he saw that the table in the corner behind the piano player was empty. He was greeted by a smiling waiter in a well fitting black tuxedo, "Mr. Sherman, how nice to see you again." "Claudio, it's nice to be here again. Is the corner table available?" Sherman asked. Claudio was growing old he thought, he had grown a little heavier and his hair, what there was of it, was starting to streak with silver.

Claudio had worked at the piano bar for at least the 15 years during which Sherman had returned to his beloved Paris every September. Sherman knew he had become a fixture at the Ritz bar, when in one of his annual visits to Paris, Claudio had recognized Sherman, although not his name, sitting at the table in the corner behind the piano player and asked your usual, Johnny Black on the rocks? A double?" That comment earned Claudio many generous tips over the years. In a city like Paris, notorious for poor tipping, Sherman's generosity burned his name deep into Claudio's memory banks. It gave Sherman a warm feeling that every time he came to Paris, the bartender at the Ritz knows his favorite table and favorite brand of Scotch.

Sherman sat at a small table, behind the large grand piano, next to the glass wall separating the garden from the bar. He liked this space because during these hot summer Paris days, the glass wall would be rolled away, exposing the cool, moist and luscious green garden. Claudio placed Sherman's drink on the table and asked your birthday Mr. Sherman?" "Thanks Claudio," Sherman replied, "Thanks for remembering." Sherman traveled to Europe every September in order to avoid birthday parties and celebrations, which his family, friends and business associates would organize.

Sherman did not care for the attention that people he really did not like gave

him. On his 40 birthday, his office organized a surprise birthday party and failed to let Sherman in on the surprise. Friends and clients flew into town for a party on a 60-foot schooner that had been chartered for a cruise around the San Francisco bay. The party went on for five or six hours before a team was dispatched to find Sherman. They located Sherman shopping, got him to a local pier took him by motorboat to the three masted sailing ship for the last hour of the cruise. Sherman's only admonition was never throw a surprise party for him without first letting him know about it. Sherman hated attention and surprises.

Sherman was a healthy sixty-year-old attorney, who over the past few months was starting to feel that he was past the prime of his life. Sherman, sitting in the Ritz bar in Paris toyed with the idea that he was soon going to grow old. The measure of adventure and sprit of life given to him had been all but used up. Sherman sipped his drink and surveyed the people in the bar. The piano player recognized Sherman and played a few songs, which he remembered Sherman had previously requested, followed by generous tips.

Sherman was in a mellow mood. As the evening wore on, Sherman was starting to feel slightly depressed. He was bored with the practice of law. The chase after Judge Letterman's money and working with Anthony outside the office had made him feel young again, but the recognition that he was 60 years old took the fun out of the entire matter.

He studied the people in the room. He noticed a couple sitting at a small table on the opposite side of the bar, a middle-aged man and a young woman, 25 or 30 years old. She was not particularly good-looking, but attractive in an innocent sort of way. Sherman studied her. She had long brown shiny hair that was carefully cut to the middle of her back. She was wearing a white pullover, open at the neck and was wearing large black horn rimmed glasses. There was a shy quality about her. As he watched her, he momentarily made eye contact with her. After a while, he saw her take off her glasses, reach back and pull several strains of dark brown hair over her shoulders, glancing at him to be certain that he was looking at her.

Sherman watched wondering if they were French and what they were talking about. Occasionally making direct eye contact with her, he smiled embarrassed to have been caught observing them. Sherman noticed that the young woman became highly animated with her hands and constantly stroked the strands of hair clinging loosely to her small but full breasts. Claudio, having noticed that Sherman's drink was empty, brought over another double Johnnie Walker black. Sherman, occasionally looking at the young woman as she continued to play with the long strands of brown hair and noticed that a button had been undone revealing more of her supple breasts and thought to himself "Is she flirting with me?" The man with the young woman reached over, took her hand in his and he kissed her cheek. She continued to play with her long brown hair, and occasionally stopped to stare at Sherman.

After a while, the couple paid for their cocktails, pushed their chairs back and started to leave the bar. The young woman made eye contact with Sherman and deliberately left well before her escort swaying her firm flat stomach and young nubile body to the piano music as she started out of the bar. All this time, she continued to keep direct eye contact with Sherman, paused at the door and gave Sherman a broad smile and a wink. Her escort followed her out of the room like a puppy dog on a leash. "Sixty years old, and I still got it," he thought to himself. Sherman was surprised at his reaction to the young woman's flirtation and its impact on his attitude. Suddenly he was ready for the adventure to continue. He would get the evidence on George and the Judge. He would bring justice back to the world.

Sherman sipped his drink and started looking for Claudio to close out his tab when he saw the young woman with brown hair come back into the bar and walk over to the piano player and make a request. As the refrain of a French version of Frank Sinatra's Summer Wind started, he watched her walk to the bar and start talking with two young men. "She must have dumped her boyfriend and made two new friends," Sherman thought to himself. Sherman turned away from the group and started to look for Claudio again.

"You are Sherman Allen, aren't you?" a soft voice asked. Sherman turned and was surprised to see the young, brown-haired woman standing next to his table. "Uh, yes I am," he replied awkwardly. "You don't remember me, I am Philippe De Merens's associate, Marie-Jeanne Doumer. I met you two years ago when you were in our offices in Monaco," she said, smiling coyly. "I thought I recognized you and wanted to say hello." "Please sit down," Sherman said, motioning to the chair next to him.

She radiated a fresh, natural and disarming charm, which was accented with a ready smile. Sherman detected an underlying sadness in her eyes, as if she had recently lost some personal treasure or perhaps she was suppressing an unhappy recollection. Sherman was immediately impressed with her measured aloof manner. She surrounded herself with a supreme confidence. A soft but real arrogance, unique among women. Sherman spent over an hour with her, talking about nothing important, and he found himself wanting to put his arms around her. To hold her gently but firmly in his arms, to possess her. His reaction to the young lady caught him by surprise. Sherman knew nothing about her. She was only being polite, humoring him. The great Sherman Allen, Attorney at Law.

As they talked, Sherman concentrated on the underlying sense of insecurity, which he felt covered her aloofness. It did not make sense. Sherman knew he would not rest until he knew its source. He was mesmerized with her face and with her mind. As confident as she appeared, she was vulnerable. She smiled at all the right times and made cogent and intelligent observations. The two men at the bar, who had given up their seats for her, were making every effort to get her attention and yet she focused on Sherman. She was intelligent and insightful, but why she ignored the two younger men, to concentrate on him, Sherman thought. Sherman found himself flattered by her attention.

She pulled all of his strings. Sherman started to relax and inexplicably, and without realizing it, started to drop his guard to her. An error that he was afraid he would later regret. He started to tell her stories of personal events and things. Too soon, he felt that he had known her forever. In the middle of a conversation

about engineering, he stopped and gathered his thoughts. He was being too open with her.

She was warm, good-looking, intelligent, cynical, and with a wry sense of humor. She was too perfect. She reminded Sherman of his wife, Diane. Diane was a sweet and generous soul who had made his life happy and who was the source of his inspiration and reason for living. Sherman's wife Diane was his lover, confident and his best friend. He started thinking that perhaps the gods were testing him to see how ethical he was and perhaps catch him in an indiscretion. Sherman, for all of his confidence and strength of character, was insecure at heart and rarely opened up to anyone. He would never reveal anything that could potentially damage his fragile ego. That ego was the source of his strength and of his aggressive nature.

She sensed that Sherman was starting to feel uncomfortable. She played with the long strands of her brown hair, pulled a Ritz Hotel notepad, wrote a number on it and slid it over to Sherman. "Next time you are in Paris, please give me a call. I would love to have dinner with you and continue our discussion." "Don't be shy" she said with a smile. "Thank you" said Sherman, I will." She gracefully stood, gave Sherman the familiar French air kiss' and slowly walked out of the room. "What a shame, Sherman thought, a good looking young woman. I guess that in France, they still find the older men more attractive," he thought to himself.

Sherman looked at the piece of hotel stationary containing the young woman's telephone number, crumpled it up and tossed it into the ashtray. Sherman went to bed content that night. As he looked out the window at the arcades and pilasters outlining the Place Vendôme. He fell asleep wondering how many hundreds of cannons it had taken to make that 13-story spiral brass column in the middle of the plaza.

Anthony enjoyed the passing scenery as the Paris Bus No. 94, Malesherbes-Courcelles-Port d'Asnieres, made its way through early Parisian morning. He carefully monitored the bus stops to be certain he got off at Malesherbes-Courcelles stop. The passengers on the bus spoke very little to each other. Anthony considered how universal human conduct was. Commuters in any country are normally involved in their own thoughts and their only concern is what they are going to do when they get off the bus. Anthony spotted the Fleurs de Malesherbes flower shop that the Hilton Hotel Concierge had told him to use as a landmark. He pressed the stop button and waited for the doors to open as the bus came to a halt in front of the glass enclosed bus structure. He exited the bus and marveled at the size of the flower shop. It occupied a quarter of the block and had at least three delivery trucks parked alongside the road boldly bearing its name, Fleurs de Malesherbes.

Anthony looked for the 1776 Restaurant, which was the other landmark that the Concierge had told him to look for. The Bank of Good Hope was within half a block of the corner of the boulevards Malesherbes and Courcelles. Anthony could not remember whether he was supposed to go up the Boulevard Malesherbes or down the Boulevard Courcelles. Glancing in both directions, it appeared to Anthony that the entire area looked to be a non-commercial residential area. Anthony proceeded across the street to the 1776 Restaurant turned to the right on Boulevard Malesherbes and walked for three-quarters of a block without seeing anything that remotely looked like a bank.

Anthony then turned and retraced his steps back to the 1776 Restaurant and came across a cul-de-sac which was guarded by a 25 foot ornate gold and black gate with two small doors leading into a broad street approximately half a city block long. At the end of the block, Anthony could see an entrance to a public park. Half a dozen houses flanked the street between 50-foot high oak trees completely shielding the sunlight from the street. Like ushers at a wedding, there stood four and 5 story 17th century baroque mansions, with ancient six-foot high

hedges shielding the mansions' entrances carefully guarding the privacy of their occupants.

Anthony continued down the street another three-quarter of a block down Boulevard Malesherbes. The street was lined with French architectural apartment buildings and a few single-family homes, but no banks. Anthony was certain that the Concierge must have been confused when giving him directions. As he passed the cul-de-sac again, he admired the ornate gate, which was painted jet black and trimmed in gold colored paint which gave the entrance to the Avenue de Valois a very regal look.

The gate was as wide as the street, 20 feet high in the middle and about 15 feet high where the sidewalk started. Out of curiosity, Anthony went through one of the small doors that led to the sidewalk. In the distance, he could see a father taking his young son in the direction of the park. The little boy was happily kicking a tin can, which he had found on the street. The tin can was a novelty inasmuch as the homes of surrounding this enclosed area were worth millions of dollars.

Quite by accident, Anthony saw a large three-foot square brass plate partially covered by the hedge. Anthony walked over to the brass plate near the entrance to one of the mansions to read the inscription. As he approached the building, Anthony noticed that inside of the hedges there was a uniformed security guard at what appeared to be the entrance of the building. Anthony assumed that a rich family wanted to guarantee its privacy and could afford the security guard. He resolved to quickly and discretely glance at the sign.

As Anthony read the brass plate, he was surprised to see in large script letters proudly proclaimed the Bank of Good Hope, Johannesburg, South Africa. Anthony looked at the building again and thought that it looked like anything but a bank. He glanced at the uniformed guard at the entrance of the building and walked deliberately toward the entrance. Anthony smiled at the guard, who smiled back and opened the heavy brass door with thick beveled glass.

Anthony entered into a modest foyer, albeit it was sparsely but tastefully

furnished. The foyer branched off in several directions into the house. Beveled glass doors on the left led into what appeared to be a large room, which had the appearance of an office area. Anthony pushed on the door, let himself in and approached the desk nearest the door. A young woman seated at the desk studied Anthony.

She decided he was English and greeted him with a disarming smile, "Good morning, monsieur." Anthony returned her smile and said, "Bonjour mademoiselle. I was referred to your bank by the manager of the Hilton Tour Eiffel. The manager of the hotel insisted that I do all my banking business with the Cape of Good Hope Bank, South Africa, specifically known for its discretion in handling customer funds." The young woman motioned Anthony to the chair next to her desk and said in a softer voice, "Certainly monsieur." Anthony asked about the procedures involved in opening an account. He secured some brochures on the services provided by the Bank, a copy of the bank's annual financial statements. Anthony was given an appointment to return the following afternoon to meet with a bank Vice President to discuss opening an account.

Anthony studied the office. There was no question that this was a first class bank, although, it was no bank like Anthony had ever seen in the United States. Individual clusters of desks and ornate furniture made it seem more like a high-end jewelry shop, where the customers were presented jewelry to examine at their leisure, rather than a bank. Anthony could see into the recesses of the building and was certain that the architect that converted this fine old mansion into a commercial enterprise spared no expense in maintaining the elegance and lifestyle of its previous occupants. Anthony thanked the young woman and walked to the middle of the room with his package of documents, took a few deposit slips, and proceeded to go out the front door past the uniformed guard and into the street.

This must have been a very exclusive neighborhood at one time, he thought to itself. On more careful examination, Anthony noted that all the mansions on the street were in fact commercial enterprises, investment houses, banks and

other commercial enterprises without description. Anthony headed back toward the massive gate guarding the entrance of the street, went through the small door and proceeded to go back to the bus stop to wait for a bus that would take him back to the hotel. As he sat and waited for the bus, he studied the documents in his possession. They gave no clue as to the size of the bank or its employees; however, the Bank's reserves exceeded \$100 billion. A few million dollars would have little impact and certainly raise no eyebrows when making its journey through their accounts.

Not more than 30 feet away from the desk where Anthony was enjoying the company of the young woman executive, in a private office of one of the senior bank executives, George Rubinstein was meeting with the Vice President of the Cape of Good Hope Bank. George was depositing certified copies of the *Peterson, Daniels, Rubinstein & Greene's* Articles of Incorporation and Resolutions of the Firm's Managing General Partner authorizing the transfer of an additional 10 million dollars from its London Bank to its account in Paris.

The Vice President carefully examined all of the documents and said, "Everything appears to be in order. Establishing the electronic bank account link with our corresponding bank in Monaco, the Bank of Venice and Trieste, Monaco, will take a few days. I have entered your personal identification number for the account into our computer system, and upon activation of the account, you will be able to draw funds directly from the Bank of Venice and Trieste without limit." The Vice President of the bank asked George to verify the PIN number while he had some temporary checks for the account printed.

As the Vice President left the room, George turned to Edward Kessler and said, "I do not like the idea of utilizing any information which identifies the Law Firm, directly or indirectly." "It will be impossible to trace any transaction from our bank in London to the Cayman Islands to the Paris branch of a South African bank with a corresponding bank in Monte Carlo," replied Kessler. "Utilizing a South African bank to purchase \$5 million in uncut diamonds and its

corresponding Bank in Germany to supply an additional \$5 million in fully negotiable Bearer Bonds makes these transactions impossible to trace."

"The weakest link in the transaction is the transfer of the money to our bank in London. The transfer of \$25 million is difficult to disguise, even if it is transferred in odd amounts from our various offices in the United States and England," said Kessler. Since Grant Daniels did not know whether the Judge would accept the money, all the transfers had to be made within a two-day period and that might attract some attention. "When you and I are elevated to full partners in the Law Firm, we must vigorously oppose these types of transaction." Edward nodded, thinking to himself about all the money that he would earn in salary and bonus as a full partner of the Law Firm.

The Vice President of the bank returned with a packet of bank checks and copies of the forms, which George had executed in order to open the various bank accounts in South Africa and to transfer monies to the bank in Munich, Germany, for the purchase of the negotiable Bearer Bonds. The Vice President said, "We welcome you as a depositor to our bank and hope that we can develop a long-term working relationship," and gave George the documents. George and Edward stood up, shook the Vice President's hand and walked out of his office.

As George started down the hallway, which was lined, with facades of roman marble column, toward the large gold metal doors lined with 100-year-old beveled glass panes, he abruptly stopped and pushed Edward Kessler behind one of the columns. "What the hell is he doing here?" George whispered to Edward. George stared intently as Anthony entered the Paris branch of the Cape of Good Hope Bank and walked directly to the nearest bank teller. Anthony spoke with one of the bank's tellers and, after what seemed an eternity to George Rubinstein, Anthony turned and walked over to a nearby counter. Anthony examined the near rows of deposit and withdrawal slips, took a handful of deposit slips and started out the bank. George and Edward Kessler watched in pure horror as Anthony walked down the hall and out the front door.

"I do not believe in coincidences," said George. Edward Kessler was

physically too stunned to speak. Finally he said "There is no way anyone could know about what we are doing." George covered the distance between the column by the Vice President's office and the front door of the bank in a half dozen strides, followed closely by Edward. The pair stared at Anthony in disbelief as he disappeared in the direction of the Palais des Congrès Metro station. "I do not like this," said George. "We must find out what he is doing here." "There is no way they could know...." stammered Edward. "This is too dangerous. Granted that Sherman Allen has clients in Paris, but, there is absolutely no reason why Anthony should be in Paris or inside this bank. Let's get back to the hotel and call Grant Daniels," said George quietly. They left the building and out into the street. Scanning the street in both directions for Anthony, George looked around for a taxi stand and saw one about two blocks away.

His heart was beating rapidly, his blood pressure was elevated, and by the time that he reached the taxi stand, George was out of breath. George looked at Edward Kessler's face, which was white as a sheet, and thought to himself, "It is hard to believe that he was a former Navy fighter pilot and accustomed to staring death in the face every day. "Meridien Hotel Montparnasse," he told the driver and slumped back into his seat.

George weighed the possibility of discovery of their plan and its implications. He had to get back to the hotel and put people to work tracking down reasons for Anthony to be in Paris. George could not accept the fact that of all the banks in Paris, a member of opposing counsel's staff was at the very bank at the core of the scheme to provide the Judge with money she demanded to issue a favorable order ruling against the 30 insurance company defendants.

George and Edward both understood clearly that if the scheme were to be uncovered, their careers as attorneys would be over and they would likely spend years in federal prison for their involvement. Even if a premature disclosure were made without hard proof, the Presiding Judge of the Los Angeles County Superior Court system would move to remove the Judge from the case on the

mere appearance of impropriety. The impact of losing the litigation against the insurance companies upon the Law Firm would inflict a mortal wound to their Law Firm. Both George and Edward had the lingering suspicion that Grant Daniels would not protect them, and if the plan was discovered, Grant Daniels would immediately disavow their actions. George had been around long enough to know that the money trail would be next to impossible to trace. Edward Kessler was correct in that there was no way anyone could know about their scheme to pay off a sitting Judge to render a favorable \$200 million decision.

Before they reached the hotel, George had already decided not to call Grant Daniels. He concluded that the old man would tell them to stay calm, start closing all of the bank accounts and quietly unwind the transactions. Since all of the bank accounts had been opened by George, he would be the fall guy. George decided that he and Edward would have to resolve any problems on their own. George reasoned that he could make inquiries indirectly without alerting Daniels. If it turned out that Anthony's presence in Paris was a mere coincidence, nothing would be lost. If it were more than that, then it was up to them to take care of the problem. The process had gone too far and there was no backing out. Full partnership in the firm and all the money that the partnership provided was not something he was going to give up easily. He would have to convince Edward that they had to be decisive and had to act independently of the firm. After all, George already had the \$5 million in uncut diamonds in the hotel safe, and the negotiable Bearer Bonds would be delivered to Munich the following day.

George Rubinstein was committed to the project. Nothing was going to stop him. In any event, the Judge was already on her way to Monte Carlo to complete the transfer of the money and to receive the diamonds and the bonds. George pulled his laptop computer from its carrying case and placed it up on the ornate French desk, next to the telephone. He attached the modem connection to the telephone and turned the computer on, waiting impatiently for the software to load. George turned on his e-mail program, located the address of his assistants

in Los Angeles, California, and quickly typed, "Susan, please contact the offices of Sherman Allen in San Francisco and see if you can discreetly get the name of the hotel where Anthony Fortino is staying in Paris. Any information you can secure as to the reason for Anthony traveling to Paris would be a plus.

As an afterthought, George added to the e-mail "Please inquire into the whereabouts of Sherman Allen. Use the pretense that I would like to meet with him in Los Angeles later this afternoon to discuss the Judge's proposed decision." It was late in the afternoon in Paris, nine hours difference between Paris and Los Angeles. George knew that his assistant would not get his e-mail for a number of hours. He would check again later on that evening and decide what to do. George stared at the computer screen blankly.

The following day, George read his e-mail "Sherman Allen is out of the office for the next two weeks. Today he can be reached at the Royal Horseguards Hotel in London. I got a number for Anthony at the Hyatt Grand Cayman (345) 987-2400 and a number at the Paris Hilton 011 33 (0) 1 44385600. Anthony will be in Europe for the next two weeks. That is all of the information that we have been able to discover. Do you want us to follow up on anything else?" Susan's e-mail made George's stomach drop. What the hell is going on, he thought to himself. What was Anthony doing in the Cayman Islands? George's blood pressure started to rise and small beads of sweat appeared on his forehead.

"There is no way that they could know what is going on. There is no way."..The truth however, was facing George directly in the face. George did not believe in coincidences. His entire life had been spent in organizing information and drawing conclusions from that information and extrapolating conclusions from minimal data. "What where the facts? Anthony-Cayman Islands-Cape of Good Hope Bank-coincidence?" George tried to recall when he last saw Anthony. Anthony had been co-counsel in the insurance litigation. Sherman Allen and Anthony had appeared at the hearing on the Motion for Summary Adjudication last Friday in Los Angeles. The Judge's tentative ruling was in

favor of George's client and the Judge had indicated that she would issue her decision later that afternoon.

It was reasonable to assume that Anthony would have waited to pick up a copy of the Judge's decision. A cold chill ran down George's spine. Was it possible that Anthony had overheard George and Kessler discussing his meeting with the Judge? No, not possible. What about the Judge's Clerk or Bailiff? Or the court reporter? Even if they had overheard, George thought to himself, how could it possibly be connected with Anthony being in the Cayman Islands a few days ago and now in Paris?

The bank codes hidden in the discovery responses were meaningless to anybody. George activated the word processing program on his computer and pulled up a legal document with the caption *Henderson vs. Peterson*. George studied the various numerical sequences looking for obvious patterns, which might give a clue to their import. George saw nothing in that which would alert anyone as to their hidden meanings. He closed the word processing program and turned the computer off. He had to think. George went down the elevators to the lobby of the Meridien Hotel Montparnasse across the endless marble floors to the Atrium Bar where he ordered the first of several very dry Martinis. George did not sleep well that night. He tossed and turned, trying to find meaning to Anthony traveling from the Cayman Islands to Paris.

As George struggled to get to sleep, at the Beverly Hilton in Beverly Hills, California, Grant Daniels was addressing a group of men having cocktails in the hotel bar. "Gentlemen, the Judge's ruling is entirely in our favor," Daniels announced proudly to the well-dressed assembly of middle-aged men. I have prepared copies of the Court's Order for all of you to examine and review at your leisure. I anticipate that the insurance companies will appeal Judge Letterman's decision, but we will be ready for them when they do." The group laughed and a tall man with gray temples, wearing an exquisitely tailored Italian suit asked, "When will the insurance companies send us our \$200 million?"

"Not for a while Mr. Gamez," said Grant Daniels. But remember that in

order to keep us from collecting on the judgment, they will have to file an Appeal Bond in an amount of half a billion dollars, two and one-half times the Judgment. That means that your money, plus interest, will be waiting for you at the end of the appeal process." Gamez, the leader of the committee of executives funding the mold litigation, raised his hand and said, "Let's not forget why we started this litigation in the first place. The Court's ruling will allow us to litigate the mold issues throughout the United States without any real opposition. The money is the icing on the cake. The assembled group smiled at each other and one of them stood up and started to clap. Then the entire group stood up and applauded. Someone shouted Bravo, Bravo." Grant Daniels was in his moment of glory and was smiling ear to ear.

Grant Daniel's clients would now pay all of the firm's outstanding legal fees, an amount in excess of \$100 million and the survival of his Law Firm was guaranteed. The \$100 million would pull his firm out of its financial crisis, allow him time to appoint a replacement and quietly resign from the firm. He could then begin to reap benefits of retirement at the top of his career. "Grant, we're very pleased with you and the results of your Law Firm in this litigation," said Gamez. You can expect that all of us will show our gratitude by sending our legal business to your firm throughout the country and obtain the benefit of your excellent legal craftsmanship."

Addressing the group, Gamez said, "We will make hundreds of millions of dollars from this Decision. There is no other insurance company in California, or anywhere in the United States, that will be able to impose this type of exclusion by Decision of the Court. Granted the various state' legislatures may try to change the law. However, we are very well-connected politically and can keep the legislators away from the Governor's desk for years."

The knowing looks on the faces of the assembled group of men reflected their agreement with their leader. "Now, gentlemen, how about retiring to the dining room for a catered dinner for the man of the hour, Grant Daniels, our attorney." The group roared their approval and filed out of the room talking

animatedly to each other, congratulating themselves on their victory and their good judgment in selecting the right attorney to handle the litigation.

As he sat down at the head table, Daniels basked in the accolades that were constantly being thrown to him from the various tables. As he sipped a glass of an expensive, full bodied Burgundy from France, Grant Daniels wondered what the good Judge Letterman would do with all the money she was about to receive. Daniels had spoken earlier in the week with George, who had reported that all of the money had reached South Africa and was on its way to Monaco without incident and that George was meeting with the Judge to deliver the diamonds and securities.

Daniels was aware that Allen's firm had filed a Petition for Reconsideration. The motion was scheduled to be heard by Judge Letterman upon her return from Europe. Daniel's knew that the motion was a futile effort and knew that it would be his last appearance before Judge Letterman and his last appearance in any court. "I will have to be careful not to put on too much weight after retirement, he thought to himself, and waved off the rich chocolate dessert which the waiter had placed before him.

Grant Daniels was aware that there was a possibility that the Court of Appeal could overturn the Judge's ruling, but he knew that Judges Rulings were rarely overturned in close call situations where the Trial Judge was simply exercising its discretion in making a ruling. Judge Letterman's decision was grounded on a reasonable interpretation of the law. The factual issues were sufficiently sketchy to keep the Appellate Court from dealing with the law in any meaningful way. Anyway, by the time the appeal was completed, several years would have gone by and the Firm would then be on solid financial grounds. The additional business referred to the Firm by the companies owned by the assembled group, collectively, would empower the firm for years to come.

Grant Daniels mentally patted himself on the back. "Even if the Court of Appeal overturns Judge Letterman's decision, it could be blamed on the democratic liberal judges sitting on the appellate courts," he thought to himself.

"The Firm would be retained to handle the litigation again and make millions of dollars in fees," he mumbled as the wine started to loosen his inhibitions. Daniels contemplated his life in retirement. It was going to be absolutely wonderful. He envisioned collecting honorariums from large corporate boards of directors, spending his time traveling from Monaco, London, Paris, Berlin, New York, etc. All perfect sites for him to pontificate to the rich, famous and uninvolved corporate board members who lived a privileged life. "Hell," he thought, "I might even get to be on the International Olympic Committee Board of Directors." It would not be work, simply socializing and being paid handsomely for the effort.

For a moment, he wondered whether he would run into Judge Letterman, private citizen during his travels. Grant Daniels decided that he did not like her. She was someone that he had used as a tool for advancing many of his Republican causes. The good Judge never realized that over the years, he profited from her efforts to please her rich Republican supporters. The conservative liberals who funded and supported Judge Letterman were wealthy men and women with tons of money to spend on causes which they did not necessarily believe, but who believed in their hearts, especially after a couple of drinks, that they should be able to dictate simply because they were the elite of California.

Grant Daniels was getting drunk, not only from the wine but also from all the admiration which was flowing from his clients. He would never have to deal with that woman again. At this point, it did not matter. She was on her way to Monaco to collect her money. The entire plan had worked exactly as he had planned. Grant Daniels surveyed the room and feeling the years of stress leave his shoulders and eagerly looked forward to the final hearing before the good Judge after which his new life would start.

The late summer sunrise streaming into his hotel room awoke Anthony. He had slept for over 12 hours and was ready to face the day. Anthony went over to his laptop computer, turned it on and took a quick shower as his computer loaded his calendar and automatically dialed a connection to the Internet in Paris. Anthony pushed the e-mail receive command on his computer and watched the various e-mail messages download slowly as he dried himself off and changed into a long sleeved sweater and a blue set of golf pants.

Anthony retrieved an e-mail from Sandy and forwarded the e-mail to Jay Griffiths in London with a note that the account number at the Bank of America in Los Angeles he was forwarding was an operating account for the *Peterson, Daniels, Rubinstein & Greene* Law Firm. Anthony included a brief description of the Bank of the Cape of Good Hope, South Africa branch in Paris and told Griffiths that he was going back to talk to a bank executive to pursue the opening of an account and make inquiries into whether the bank had any corresponding branches in Monte Carlo. Private Banks in Europe were always open until at least three in the afternoon, which gave Anthony plenty of time to get from his hotel across town to the bank.

Anthony considered calling Sandy at home. Glancing at his watch, he noted that it was 6:30 in the morning, which would make it 9:30 in the evening in San Francisco. It was Saturday morning in Paris and in view of the time difference; it was Friday evening in San Francisco. It's too late to call Sandy on Friday night. I will give him a call in the morning, he thought to itself. Anthony put on his blue blazer, checked that he had his wallet and watch with him and started toward the elevators. As he opened the door to his hotel room, he spotted an envelope from the hotel Concierge. He opened the envelope and read it aloud. "Your associate called late last night and will call again later this morning."

This surprised Anthony because Sherman was not shy about awakening him if it was important and he knew that Sherman was traveling to Munich that morning. It was also very unusual for Sherman not to leave a message. Anthony stopped by the Concierge's desk, asked if he had any additional messages or a

return telephone number from the mysterious associate. The Concierge told Anthony that he was off-duty last night but had spoken with the young man who had been on duty who told him that Anthony's associate had been in a hurry and simply wanted to know if Anthony had checked in. The Concierge had left the message on his own initiative. Anthony thanked the Concierge and left the hotel wondering why Sherman would have behaved so strangely. Perhaps I did not give him my room number, he thought, but Sherman could have simply had the hotel call. In any event, by the time Anthony and gone to the Bank of Good Hope and returned to the hotel, Sherman would be in Munich and Anthony would call and ask him what he wanted.

Anthony walked along the riverbank, pasted the Eiffel Tower and towards the Paris Metro station two blocks further down. The crowds had not yet begun to gather at the Eiffel Tower and the tour buses had not started dropping off their thousands of customers. It was a beautiful Parisian morning and Anthony was invigorated by the ambience and the energy, which Paris radiated. Lost in the moment, Anthony did not notice George Rubinstein and Edward Kessler following him about 50 yards behind. George and Kessler had been at the Avenue de Suffren, the street leading to the Hilton Hotel behind the Eiffel Tower since 5 o'clock that morning. Kessler was not in a very pleasant mood. Edward Kessler was upset with George and with the plan, which George had conveyed to him the evening before. Kessler felt that this was a request from George that was above and beyond what they had originally agreed.

Kessler had served as a naval aviator aboard the nuclear aircraft carrier John F. Kennedy, CVA-67, as a pilot, flying the all weather interceptor A-6. He had retired from the Navy as a Lieutenant Colonel, spent three years in law school and, for the past six years, as a Senior Associate with the *Peterson, Daniels, Rubinstein & Greene* Law Firm. Kessler had made himself indispensable to George Rubinstein as a trial attorney who was aggressive, knowledgeable and one of the few attorneys who could always be counted upon to always carry out their assignment, regardless of the difficulty. Most of all, Kessler could be

counted upon to be discreet and not to ask too many questions. This morning he was not very happy and made no effort to disguise his displeasure from George.

As Anthony approached the entrance to the Paris Metro station, George (with Kessler on his heels) closed the distance between the pair and Anthony. George and Kessler were wearing black overcoats with the collars turned out and tan colored berets, which hid their faces from everything except direct examination. If spotted, they had agreed to simply turn in different directions with their backs to Anthony to avoid identification. As Anthony turned and went down the stairs into the Paris Metro station, George hesitated briefly at the top of the stairs until he saw Anthony walk directly to the turnstiles. George and Kessler quickly went down the stairs through the turnstiles and followed 10 to 15 feet behind Anthony, hidden by the early morning commuters. It was going to be tricky to get on the same train as Anthony without being spotted, but the crowds were such that they blended in with little effort.

"This is the train which goes to the Cape of Good Hope Bank station," said George. "I am certain that he is going back to ask questions about money transfers. I have absolutely no idea how Sherman Allen and his associates could have uncovered any links between *Peterson, Daniels, Rubinstein & Greene* and the Cape of Good Hope Bank, but we cannot take any chances," said George. "I do not like this now and I did not like this morning, but if you think this will send Anthony packing to San Francisco, I will go along with it. I did not sign up for this exercise to be anybody's enforcer. I am ..." Kessler's voice was drowned out by the passing train. It was clear to Kessler that George was not listening to him anymore.

There was no hard evidence to suggest that Anthony was here for anything other than a legitimate business purpose. The plan was foolproof and there was absolutely no way that Sherman or his associates could have even accidentally discovered its existence. Even if they had, there was absolutely no evidence whatsoever that could tie in *Peterson, Daniels, Rubinstein & Greene*, himself, George or Judge Letterman to any of the funds transactions which had taken

place, or which were about to take place. There was no reason for doing this. Kessler was angry at himself for going along with this new plan.

They could see Anthony in the train car in front of them get up from his seat and prepare to exit the railway car at the next exit. That exit would lead to a Paris Metro station, three blocks from the Cape of Good Hope, South Africa branch bank. As the train stopped, Anthony exited and surged forward with the crowd toward the exits. "Now," said George to Kessler. The pair exited the car and followed Anthony, ten feet away, five feet away, until they were right behind him. As they approach the escalator leading to the street, Kessler pulled his overcoat around his neck, pushed in front of Anthony, and took the step on the escalator directly in front of Anthony. George quickly pushed in front of two women who were preparing to get onto the escalator and positioned himself directly behind Anthony.

Anthony pushed through the exit gate of the Paris Metro into the massive hall of the Faubourg St-Germain metro station and stepped onto the escalator leading up to the street. The escalator was crowded and there were several hundred people in the station. As he reached the top of the escalator, a man in a black pullover, in front of him, stopped at the landing, forcing Anthony off balance as the escalator continued to move underneath him. Anthony was pushed back onto the man behind him who pushed Anthony forward. Anthony struggled to keep his balance when suddenly he felt a sharp searing pain on the right side of his body. Anthony gained a foothold and lunged forward pushing the man in front of him to the side and falling onto the top of the escalator landing.

The man behind Anthony had been holding a short thin knife. He also had lost his balance as Anthony had kicked forward and was desperately trying to hold on to the moving escalator railings. The man dropped the small knife, the handle of which had caught in Anthony's jacket, and fell back into the arms of two women on the crowded escalator directly behind him. The escalator continued to push people one on the other forwards and upward onto the escalator landing. As Anthony was falling to the floor, he had seen the blood

covered knife fly upward from the man's hand amidst the pushing and shoving and general confusion caused by people being unceremoniously pushed along to the landing by the steady movement of the escalator.

Anthony could feel the warmth of the blood oozing onto his shirt, and suddenly, the pain in his side intensified. Anthony drew the connection between the knife, the blood, and the pain. Anthony looked around and started to scramble away from the confusion when he felt another sharp pain from a blow to his shoulder. Someone had kicked him and he rolled over on his back. Anthony looked up and saw the man in the black pullover bracing himself to kick Anthony again. Anthony rolled over several times away from the man using the crowd to shield him from the man in the black pullover and painfully struggled to his feet. The man looked slightly familiar. Suddenly, the second man who had dropped the blood-covered knife grabbed the man in the black pullover by the sleeve, pulled him toward the crowd and both men ran out onto the street.

The people on the escalator quickly regained their balance and continued on their way undisturbed and unaware that anything out of the ordinary had happened. Were it not for the pain and his blood soaked shirt, Anthony himself could not have been certain what had just happened. Anthony struggled to his feet, pulling against the metal railing, which acted as the divider between the commuters inside the turnstiles and those outside. Anthony stood for a moment and suddenly was overcome with a wave of nausea, which swept through his body like a warm flushing sensation. The nausea made his legs feel like rubber, just strong enough to allow him to lean against the metal railing. He was trying his best to keep from passing out.

Suddenly, a young woman in a blue uniform came up to him followed by a tall man in a red uniform and asked "Monsieur, are you all right?" "I think I have been stabbed," replied Anthony, holding his side tenderly. "Lie down," she directed and eased Anthony down onto the floor. She pulled Anthony's shirt open examined the wound and turned and said something in French to the tall man in the red uniform. Anthony's head had cleared a little and he noticed that

he was lying in a pool of bright red blood. That observation sent a second wave of nausea through him. He closed his eyes and put his head down.

Anthony's body went into shock. The young woman's face turned pale at the sight of so much blood and assumed that the wound had cause damage to Anthony's kidneys. She asked the metro Security Guard to call an emergency ambulance and the police. She was concerned because she had no medical training of any kind and the young man she was leaning over was pale and unconscious. Instinctively, she folded Anthony's jacket and pressed it against the wound, stopping, at least temporally, the external bleeding.

A policeman arrived well before the ambulance and produced what were apparently smelling salts tablets which he broke underneath Anthony's nose. Anthony's eyes opened immediately like a car which had been jump-started. The policeman asked several questions in French to which Anthony mumbled "English, American." The policeman asked, "Your name, please, where are you staying, can you tell me what happened?" Anthony could vaguely understand the policeman's questions; however, his head was swimming and responding to questions did not have a very high priority. Anthony could not feel any pain, but he knew he had passed out and was probably going to pass out again. The policeman's voice faded as well as his face and Anthony went to sleep.

Anthony did not remember very much about how he got into the ambulance, whether they had given him any medications and was not really conscious until he was placed on a gurney and rushed into the American Hospital of Paris' emergency room. He did remember that he had been put in an ambulance and that the ambulance driver must have taken every cobblestone street along the five miles from the Faubourg St-Germain Metro station and the boulevard Victor-Hugo where the American Hospital of Paris dominated an acre of a peaceful residential park. Painful as it was, the bumpy ride in the ambulance was a fading memory that was replaced by the pain being inflicted by the attendant that was pulling his clothes off him and covering him with a light thin short hospital gown.

The emergency room of the hospital was efficient. An attractive French nurse cleaned the wound and applied disinfectant. She then pushed him along several narrow hallways in a metal hospital cart to the x-ray station and then into a private hospital room overlooking a garden. Anthony had not been given any painkillers (that he knew of); however, the pain had subsided and as best that he could tell, he was not bleeding any longer. Anthony was tired and sleepy, but he did his best to stay awake.

Suddenly, the door to his room opened and several people dressed in white crowded into the room. One of them attached an intravenous needle into his right arm and taped it to his wrist, while the others chatted in French. Just as quickly, they stopped talking and Anthony was wheeled out of the room into another room with very bright lights. As Anthony slept, a Doctor re-examined the wound to Anthony's side, probed the wound with his fingers and, with the skill of a practiced seamstress, stitched together the three inch strips of skin hanging from Anthony side. An elderly nurse applied additional disinfectants to the stitches and a bandage was applied covering the wound.

Anthony slept peacefully for several hours and awoke to find a very attractive young nurse taking his temperature. Without a word, she efficiently recorded her findings on the chart at the foot of his bed and left the room. A short time later, a very French-looking Doctor came into Anthony's room. "How are you feeling?" he asked in English with a French accent. "I feel better now. I guess I was just overcome by the sight the blood, my blood in particular," replied Anthony. "You are a very fortunate man, if the knife blade had entered your side two inches more to the left, it would have damaged your right kidney, as it is, the knife entered and traveled along to the inside of your skin which is why you bled so much. The injury is not serious, but it may be painful for a while as the skin rejoins the muscle. I recommend that you take aspirin for the pain and avoid any strenuous exercise. I think that we will keep you overnight just to keep an eye on you."

"Thank you Doctor," said Anthony. "Have the police told you what

happened?" he asked. "No," said the Doctor, but the fact that you are an American will require that the hospital file a formal report. Unfortunately, the French police are not as aggressive in these investigations as are the police in the United States. Since the injury was not life threatening, you will be contacted within the next few days for a statement. If you can identify your attackers, the French police will act promptly. If you cannot, a report on the incident will be filed and promptly forgotten," the Doctor said matter-of-factly.

"Thank you again Doctor," said Anthony, "I probably will not be in Paris too much longer anyway. I have to assume that it was an attempted robbery. I do not understand why anyone would want to injure me in a large public place." "Perhaps they were trying to cut through the pocket of your jacket and remove your wallet. Is there a telephone that you would like to use? Perhaps your family or your employer who might like to know where you are?" said the Doctor. "I will have one brought in. In the meanwhile, please try to get some sleep you have lost quite a bit of blood," said the Doctor as he left the room. A few minutes later a hospital orderly came into Anthony's room and plugged a white telephone into a connector on the side of his bed.

Anthony called the Ritz Hotel and left a message for Sherman to call him immediately. Anthony hoped that Sherman would check his messages upon arriving in Munich later that morning. Anthony called the firm's San Francisco offices and asked Stephanie to leave a message for Sherman at his hotel in Germany to call as soon as he checked in. Anthony slept for several hours. When he awoke, he enjoyed one of the gourmet meals that French hospitals prepare for their well-to-do patients.

Anthony could not remember any of the details of the incident. His only recollection was losing his balance, feeling the pain and being kicked by someone. "If they were trying to steal my wallet, why would they want to kick me when I was lying down on the ground?" he thought to himself. The man who kicked him looked familiar. It all happened so suddenly. There was a man wearing a black overcoat and a beret, Anthony could not remember looking

directly into his face, but the man looked familiar. Anthony could not recall anything special about the man, but he had a feeling he had seen him before. The meal, the medication and the exhaustion drove Anthony into a deep sleep.

[Chapter 16 -Pieces of the Puzzle](#)

Sherman had received a call from Professor Knight-Jones with directions to meet him at the Vier Jahreszeiten Kempinski Hotel in Munich. Allegedly, the Professor was traveling back to St. Galland University in Switzerland; however, Sherman knew that the Professor would not ask Sherman to travel 300 miles for a cocktail. Jay Griffiths and the Professor must have come across some valuable information and did not want to discuss their findings over the telephone. As Sherman waited for his bags at the Franz Josef Strauss Airport, he marveled at the efficiency of the design of the airport. The airport had undergone a complete renovation for the 1977 Winter Olympics which had ended in such a tragedy that 25 years later the only memories which the marvelous edifice evoked were those of the Israeli athletes.

Sherman saw his bag slowly moving down the conveyor belt. He reached down, retrieved it and started toward the airport taxi stands directly in front of the airport. Sherman went up to an empty taxi and asked, "Can you take me to the Opera Hotel in downtown Munich, off of Maximilianstrasse?" "Certainly Sir," answered the young Bavarian cabdriver. Sherman opened the door and placed his computer and bag in the seat next to him as the driver accelerated away from the airport. Sherman had been to Munich years before and was surprised that so many years after World War II, parts of Munich were still being rebuilt. Although not obvious, one could see the struggling economy in the statues that were spread everywhere among the trees and boulevards. Close inspection of these statutes revealed that they were not of marble; rather they were of common cement.

Munich had been bombed heavily during World War II and over 80 percent of the city had been destroyed. The economy was growing slowly and steadily

until the Olympics tragedy. Additional five years passed before the economy overcome the memories and began to grow again. As the taxi and drove toward downtown Munich down the Pienzenauerstrasse, it began to rain. Sherman could see the current in the Isar river visibly increasing in speed as the tributaries and streams draining water from the mountains fed the river until it appeared as if it would tear away the cement embankments guiding the heavy current through the city and out into the vast Bavarian plain.

The taxi pulled up to the front of the Opera Hotel, a three-story building which had once been the home of a prosperous German aristocrat. During WWII, half of the house had been destroyed by an errant bomb during one of the many Allied bombings of the city. The family had rebuilt and preserved the remainder of the 30-room house and converted it into a hotel as a means to survive the economic devastation of the war. A portrait of the German aristocrat wearing his WWI metals hung proudly in a small parlor near the newly installed elevators. Sherman liked the hotel for its location and for the polite young Bavarian girls who acted as chamber maids during the day and waitresses during the evening meal. Sherman liked to work at a table in one of the small drawing rooms and always enjoyed the elaborate tea and cookies ceremonies which the young girls always started by placing a five dish silver tower next to his laptop computer.

Sherman checked into the hotel and asked for an adapter for his modem so he could check his e-mail and update Anthony and his staff in San Francisco. "Will you be staying with us long Mr. Allen, asked one of the young ladies?" No, I will be here only a day or two." The young girl gave Sherman the adapter and he took the small elevator to the third-floor to room 3B. The hotel brochure described the room as a junior suite. It was clear that the rooms had once been part of the master bedroom for the owners, a bedroom and a living room area with a small and discrete marble bathroom hall in black and silver.

Sherman hooked up his computer and the converter connected to the Internet and started to download his e-mail. Sherman was surprised not to see

anything from Anthony. He reviewed the various status reports from his staff attorneys and returned instructions for handling of certain cases that he was following. Sherman typed a message for Anthony, speculating about what he might learn from Professor Knight-Jones later that morning and asked Anthony for an update of his visit to the Cape of Good Hope Bank in Paris.

Sherman turned off his computer and decided to walk to the Kempinski Hotel. He took the elevator down to the first floor walked over to the receptionists and gave her the room key. She smiled shyly and asked if he would be returning for dinner. "No, I have an engagement for dinner." He walked out into the clear crisp alpine air, which made Munich unique to Sherman. He walked toward the Maximilianstrasse turned right toward the city center. As he walked toward the Wimmer Ring he noticed that there were no surface street crosswalks because of the heavy traffic on the Wimmer Ring.

The design of the intersection required you to go down a flight of steps into the small shopping area and then up a flight of steps to the other side of the street. As Sherman walked down the steps he noticed an escalator. What was unique about the escalator was that it was filled with soil. Flowers and bushes had been planted in the soil. As he got to the bottom of the steps, he noticed that the other three stairways also had escalators filled with soil and planted with flowers and bushes. The shopping areas were empty but clean. Clearly the state of the city economy dictated that expenses such as functioning escalators were not within the Munich City budgets. It was a sad reminder that this beautiful Bavarian Village, one of the largest cities in Germany and home to some of the largest manufacturers in Germany was still struggling to overcome the effects of World War II.

Sherman walked the two blocks to the Kempinski Hotel and was a bit surprised to see a plain brick structure in the middle of dozens of small high-end shops. Considering that the hotel had the reputation of catering to the rich and famous for the last 110 years, it certainly did not look like much from the outside. As Sherman entered the hotel, he was not particularly impressed with

the restoration to the lobby nor the objects d' art which graced the large lobby, like costume jewelry proudly worn around an aging woman's neck. Maybe before the war, this was a first-class hotel, he thought to himself, not now. On reflection, Sherman remembered that he had spent most of his time in the Kempinski Hotel, Berlin and maybe this was a chain or had been a hotel purchased by the Kempinski Hotel in Berlin. Sherman walked the up a small flight of stairs and saw the entrance to the hotel bar.

Sherman sat at the bar and ordered his Johnnie Walker black on the rocks and asked the bartender whether or not there were any other bars in the hotel. "Certainly Sir, and down the hall into your left is the Bistro Eck Restaurant and to the left if you will follow the stairs you will find the Theater Bar Restaurant in the cellar. Sherman sipped his drink and decided to wait for the Professor and let him find Sherman. Fifteen minutes later, a tall slender young man walked up to Sherman and said "Mr. Allen." For a moment, Sherman did not recognize Professor Knight-Jones out of uniform. He was dressed in blue Levi's, a cotton sweater and a bulky overcoat looking more like a Bavarian peasant rather than the proper English Professor.

"Please call me Sherman," he said, "May I buy you a drink?" "Certainly," said Professor Knight-Jones, but why don't we sit at a table," motioning to the corner of the bar. "Okay," said Sherman and walked over to a small table away from the entrance to the bar and the bartender. "How was your flight Sherman?" asked Professor Knight-Jones? "Uneventful," said Sherman, "Just like my life, boring." The bartender brought Professor Knight-Jones a large Stein of beer and a small bowl of pretzels and went back to the bar.

The Professor, speaking in a low voice, said, "We were able to track a \$10 million transfer from the bank account in Los Angeles to London and from London to Munich. This morning I was able to verify that the Munich bank account had been open for approximately 5 days and within 24 hours of the \$10 million deposit, the balance was \$500."

"What is the name of the bank?" said Sherman. "The Cape of Good Hope,

Bavaria Bank," said the Professor. "What happened to the money?" asked Sherman. "We have not been able to determine to whom the \$10 million cash transfer was made; however, it appears to have been to a local securities brokerage house. We are in the process of attempting to identify the transaction and hopefully the individual securities dealer to whom the funds were transferred. The other \$5 million was transferred back to the account of the Cape of Good Hope in Paris." "What?" said Sherman quizzically?

"It took us awhile to determine the reason for the transfer. A stroke of luck really, scanning all wire transfers out of the bank we were able to isolate a wire transfer from the Paris Branch back to a diamond mine in South Africa. The Statler Diamond Mines are subject to an embargo by the United Nations due to their treatment of the local population by the ruling dictatorship. It appears that the \$5 million was used to buy embargoed diamonds, which were shipped to the buyer yesterday afternoon. The only description we have of him is that he is an American, short and well-dressed."

"Where will the diamonds be delivered?" asked Sherman. "We assume that they were picked up at the bank," replied Professor Knight-Jones. "The bank is not being particularly cooperative; however, we may be able to get a picture from the bank security cameras. You have your friend, Lord Wadsworth Kensington to thank. Lord Kensington, through his connections at Scotland Yard was able to secure the assistance of Interpol, who are presently conducting a routine maintenance of the bank security cameras. With any luck, we should have a picture for you of the American person who purchased the diamonds and hopefully the one to whom they were delivered."

"Absolutely marvelous," said Sherman, "How can we ever thank you?" "Don't thank me, you have a lot of friends who love to play detective and thrive in solving difficult problems. The fact that a justice of the US courts who is involved in a scheme to pervert the sacred trust and confidence of the office, strikes at the very foundation of the British Empire. Besides, statistical analysis

and computer systems cryptography is pretty boring, even for an Englishman and this has been a premier project," he said with a smile.

"We also are attempting to utilize our computer simulation to track any transfers from the London account which we have identified as the "HUB" for these transactions to a bank in Monaco. If your suspicions are correct, we anticipate and intercept of an additional \$10 million from South Africa to London to Monaco or from Los Angeles to London to Monaco or from Los Angeles to South Africa to London to Monaco. In any event, let us hope that the transfer takes place within the next few days; I am not certain how long we can continue to divert our resources to this project.

I am scheduled to deliver a lecture on the wire transfer money-laundering infrastructure of European banks and European private banks at the University next week. Regardless, we will stay on this until the very last-minute," said the Professor with a smile. Sherman said, "Thank you again, the work you have done is absolutely marvelous and state-of-the-art. I will wait for the results of the surveillance cameras then return to Paris, pick up my associate and travel to Monaco. If you get any additional information, please leave me a message to the Hotel Hermitage in Monte Carlo." Professor Knight-Jones stood up, reached out to shake Sherman's hand, and was surprised when Sherman stood up and gave him a large bear hug. Professor Knight-Jones reverted to his proper English posture and gently patted Sherman on the back hoping the crazy American lawyer would stop hugging him. "I will call you as soon as we hear anything," he said. Sherman released Professor Knight-Jones and shook his hand vigorously.

As the Professor walked out of the bar, Sherman was starting to feel certain that he would be able to get the information they needed to challenge the Judge and her partners in crime. Sherman paid for the drinks and walked back to his hotel feeling invigorated. The crisp clean alpine air added a spring to step that had not been there for years. As the solution to a problem drew near, he started to feel the youthful energy he always felt when an impossible task had been accomplished. "The impossible takes a little longer," he thought to himself.

When Sherman arrived at the Hotel Opera, he went directly to the reception desk and asked for his room key. As the young Bavarian girl handed him a key attached to a doorknob, she said "Mr. Allen you have a facsimile transmission," and handed him a piece of paper. Sherman recognized the office logo of the Scales of Justice and Stephanie's initials as the sender. It took a moment before Sherman fully grasped the content of the document. He stood for a moment and read the facsimile again.

"We received a call from the American Hospital of Paris informing us that Anthony had been injured in a Paris subway. Please call the number below and ask for Dr. Francois and he will give you the details." "Fraulein, would you be so kind as to call the Lufthansa Airlines reservations desk and reserve the next available flight from Munich to Paris, first-class. Please use the credit card number which I reserved the hotel room. It is an emergency, I must be on the next flight to Paris. Please prepare my bill; I will be departing this evening."

Sherman walked quickly to the elevator and up to his room. He dialed the number on the facsimile transmission and asked for Dr. Francois. A young receptionist in poor English told Sherman that Dr. Francois had left for the day. "I am trying to get information on Mr. Anthony Fortino, can you put me through to his room?" said Sherman. "I will check monsieur," she said. Sherman waited anxiously until the receptionist said, "I will connect you." The phone rang several times before a sleepy Anthony answered. "Hello," he said drowsily, "Who is this"? "This is Sherman, are you okay, what happened, they said you were injured in the subway?" There was a pause on the phone, Sherman recognized that Anthony must be under some medication designed to make him rest. "It was not that bad, just a garden variety mugging, they told me at the hospital to get lots of sleep, I am certain I will be fine," he said.

"Listen to me Anthony, listen to me. I am taking the next flight back to Paris and will come directly to the hospital sometime later this evening. In the meanwhile, get some sleep," he ordered. A slurred "Okay" and Anthony hung up the phone and went back to sleep. Sherman was relieved, in all of his years of

traveling through Europe; he had never heard even the slightest incident. As he sat still thinking about Anthony, the phone rang and a young female voice said, "We have reserved Lufthansa flight 1276 at 7:30 this evening, arriving in Paris at 8:45 PM. We have called a taxi for you which should be available within the next 15 minutes." "Thank you very much," said Sherman, "I appreciate all of your courtesies." Sherman quickly packed his bag and computer quickly ran down the stairs rather than wait for the elevator. He thanked the receptionist again, gave her the key and a 50 euro note and dragged his bags outside to wait for the taxi.

As the stewardess on Lufthansa flight 1276 brought Sherman his Johnnie Walker black on the rocks, Sherman could not stop thinking of Anthony. He could not imagine what had happened. Even the most ardent pickpockets in Paris did not resort to physical violence. The French police, and more importantly the Paris police, were very aggressive against any type of violence, especially against American tourists. The French government had to protect its tourist industry, which supplied over 50 percent of the income in Paris. While the French police might overlook pickpockets, burglaries and/or other petty theft, crimes of violence was not tolerated. Paris was one of the safest cities in Europe. Sherman could not understand what had happened to Anthony.

[Chapter 17 - Coincidence](#)

Sherman chewed on the ice in his glass with such intensity that he did not hear the stewardess announce that the aircraft was landing. Sherman glanced at his wristwatch and thought to himself, it should take about an hour to get to the hospital, another 15 to 20 minutes to pick up my bags. Sherman, in his lifetime, had seen many people die, become seriously injured and on several occasions while on duty with the Marines actually killed other human beings. Sherman had overcome the emotional trauma that comes from watching men die or suffer serious injuries. Sherman was absolutely certain that Anthony was receiving the

best medical care available and that his life was not in jeopardy. Sherman felt responsible for Anthony. After all Anthony was here at his request.

Muggings and robberies occur everywhere in the world and more than likely it was a matter of Anthony being in the wrong place at the wrong time. But Anthony was his responsibility and Sherman felt that his presence and his reaction to Anthony's injuries was essential to their relationship. Sherman did not have very many close friends and did not believe Anthony considered Sherman his best friend. However, above all others, Sherman respected and admired Anthony and saw many of his best character traits in Anthony. Sherman was going to be there for Anthony whether Anthony liked it or not.

Sherman exited the airplane and walked down the runway through the departure area to the baggage claim. Preoccupied, he did not notice the two women searching through their handbags at the Air France counter. As he scanned in the area for the signs directing him to the baggage claim area, he focused on the two women and instantly realized that one of them was Judge Letterman. Sherman was so surprised that he bumped into a short stocky Frenchwoman who in return almost knocked him off-balance. Apologizing to the woman, he quickly regained his composure, continued walking toward one of the room's support pillars and stepped behind it.

As inconspicuously as he could, he looked back at the Air France ticket counter and recognized Judge Letterman's Court Reporter, Linda, arguing with the Air France ticket agent. "I cannot believe it," he thought to himself. Sherman watched the two women receive their boarding passes, pick up their handbags and walk over to a small bar in the departure area and order cocktails. Sherman noted that the Air France ticket counter sign indicated a Paris to Nice 10:30 pm flight. "She came to pick up the money," he thought to himself, "What an absolutely unreal coincidence."

Sherman considered calling his office in San Francisco and, after calculating the time differences, incorrectly concluded that it was 1:30 in the morning. A call at that time of the morning would not be as productive, so he

decided to wait. He tried to think of someone to call in Monte Carlo to drive down to the Nice airport and follow Judge Letterman to her final destination. He thought of Philippe's associate, Marie-Jeanne, why had he not kept her telephone number. Sherman's French was not good enough to get directions from the French telephone operators. The 10:30 p.m. flights would arrive sometime around 12:00 p.m. Sherman had thrown his Palm Pilot with all his private telephone numbers into his luggage when he packed earlier in the day. By the time that he retrieved his luggage and secured the necessary telephone numbers, it was unrealistic to expect that he could get someone to follow the good Judge that late in the evening. "A lost opportunity," he thought to himself.

The fact that Judge Letterman was in transit to the ultimate destination of the money supported his conclusion that she had accepted the bribe and was on her way for the payoff. Up until today, the only evidence available to them was that monies were being wired in and out of various accounts one of which was indirectly connected to her. It became important for Sherman and Anthony to get to Monte Carlo as soon as possible and determine the location of the final transfer. Sherman made a mental note to call Professor Knight-Jones for an update in the morning. If Sherman were lucky, the Professor would have sent him the pictures of the "short well dressed American" by e-mail and he would download it later in the evening after attending to Anthony. After a few minutes, Sherman started to feel foolish hiding behind the pillars staring at the two women and remembered that Anthony was in the hospital injured. He took one last glance at the two women at the bar and proceeded toward the baggage claim area.

Across the room at the Airport Bar Judge Letterman's face was flush with anger as she ordered a vodka tonic from the bartender. "What the hell is Sherman Allen doing in Paris?" she thought to herself. She had recognized him immediately as he exited the arriving flight from Munich. She also saw the look of recognition on his face as he collided with a fat woman and hastily hid behind one of the pillars. She handed her identification to the Air France attendant and

secured her boarding pass. Judge Letterman glanced around the terminal and spotted the bar across from the Air France counter.

The counter of the bar was shaped like a horseshoe and a mirror with glass shelves lined its entire length reflecting the colorful labels of scotch, gin, vodka. "Let's get a cocktail while we wait for the plane Linda," she said. She gently took her companions arm, led her across the aisle to the bar and selected a seat which would place her back to Sherman and which would allow her to watch his reflection in the mirror. She watched Sherman hiding behind a pillar, discretely watching her. "Why was he hiding behind the pillar, watching her? What the hell was he doing here?"

She had seen him get off the Lufthansa flight arriving from Munich, what was he doing in Munich? Judge Letterman recalled George saying that the Bearer Bonds were to be purchased through an account in Munich. Was he following George, her? Had he learned something? It had to be a coincidence. She would call George as soon as she arrived in Nice after she had checked into the Villa in Cap Ferrat. She did not believe in coincidences. After a few minutes, she watched Sherman leave his hiding place and disappear in the direction of the baggage claim area.

"Linda, I know we have planned to stay two weeks at the Villa, but it's possible we may have to leave early. I hope you will not be too disappointed if we have to cut the trip short." "Why would we have to cut the trip short?" Linda asked. "Unfortunately, before we left I received a call from the Presiding Judge asking that I handle an emergency matter. I agreed to do so on short notice." "Of course I will be disappointed," said Linda, but your job always comes first. Regardless of how long we stay, I know we will have a good time."

Judge Letterman felt that she had to start hedging her bets in the event she decided to withdraw from the enterprise. She had not taken any money yet. Her decision about the case could still be reversed based upon the Motion to Reconsider her decision. She did not like the idea that Sherman Allen was in France. She did not like the fact that Sherman Allen had been in Germany and

she did not like the fact that he had seen her at the airport tonight. The flight from San Francisco had given her time to contemplate the many things that she could do with \$25 million.

She had spent the last five hours spending the money and did not like the idea of having to give it up. She was known for her ability to make a decision upon a review of all the facts and never to change her mind. Why had she become equivocal all of a sudden? As she sipped her cocktail she hardened her resolve. She was going to see this thing through. There was no possible way that the money could be traced back to the Law Firm. The only contact which she had regarding the money was George and it was not possible that he would reveal his complicity in this matter. To do so would destroy his legal career and jeopardizes his income for the rest of his life. "No," she thought, "nothing can go wrong, but why take the chance?"

Judge Letterman retrieved her cellular phone from her purse and dialed the telephone number of the travel agency shown on her ticket. In Los Angeles, it was shortly after lunch and the receptionist, recognizing the Judge's voice, took the call immediately. "Judge Letterman, how are you. How can we help you?" said the young lady. "I will arrive in Nice in a few hours and would like for you to check my itinerary." "Can you do that now?" she asked. "Certainly Judge Letterman, let me pull up your account record. I have it now, how can help you?"

"I am scheduled to return to Los Angeles in two weeks, what would it take for me to change the Air France tickets to return next Saturday?", she asked. "Your tickets indicate two travelers, would that be for both of you or just yourself?" asked the receptionist. "Both of us," replied the Judge. After a few moments of silence, the travel agent handling Judge Letterman's account took the call from the receptionist and said, "I've checked your request and we can have you on a non-stop Air France/Delta flight from the Nice to Los Angeles International Airport on Monday at 11:30 in the morning. Would that be acceptable?" asked the travel agent. "Perfect," said Judge Letterman. "Please make the reservations, please advance any deposits which they require and I will

call in a few days to confirm." "What about the Villa in St Jean Cap Ferrat? Do you want me to cancel that also," asked the travel agent. "No, in fact, book the Villa for an additional six weeks, I plan to return after taking care of some business in LA." said the Judge.

"Yes," she said to herself. "If this works out, after I issue my final ruling, I will return and enjoy the benefits of my crime." She was surprised how easy it had become for her to accept that she was breaking the law and how easy she could spend her ill gotten gains on the pleasures that only money can buy. Preparing for an early getaway was merely a precaution. Sherman had simply lacked the backbone to come by and say hello. There was simply no way that the funds could be tracked to her.

After all, when the money was transferred to her by the bank in Monte Carlo, the account would automatically close. The privacy laws of Monaco would prevent any individual or regulatory authority from forcing the bank to reveal the ownership of the closed account. Diamonds and Bearer Bonds have no identity and are readily marketable. Within a few short weeks of the transfer of the cash, the diamonds and the Bearer Bonds, she would have the diamonds and bonds so dispersed over Western Europe that only she could retrieve them or even identify their location. Now, nothing can go wrong she thought herself. She smiled and said "Linda, do we have time for another drink?" Linda smiled and said "Absolutely."

Sherman collected his bag and quickly exited the terminal to the taxi stands. "Taxi, pariez vous English?" he asked. "Of course where are you going?" asked the taxi driver. "I need to get to the American Hospital of Paris, Neuilly-sur-Seine, quickly". "Get in," said the taxi driver. Sherman opened the door threw in his bags and climbed in after them. The driver started slowly but rapidly picked up speed as he maneuvered the winding roads surrounding the airport until he reached the freeway. The traffic was light and the driver, in anticipation of a generous tip, proceeded around the Periphery, the largest highway built over the foundations of the medieval city walls of Paris, with a heavy foot.

The taxi turned off at Boulevard Bineau and down Rue Chauveau, a quiet residential street, before stopping before a four-story building hidden in a quiet neighborhood, identified only by a simple metal sign identifying the facility as the American Hospital of Paris. Opened in 1910, supported with funds from the United States Government, to provide medical services to the growing number of American ex-patriots and tourists living and traveling through Paris, the American Hospital of Paris was the only source of medical care available to Americans in Paris and its environs.

Sherman paid the 50-euro taxi fare and gave the driver an additional 10 euros for his efforts. Sherman threw his computer bag on his shoulder, balanced his luggage in the other hand, and walked briskly into the reception area of the hospital. "Hello, my name is Sherman Allen, I am here to see Mr. Anthony Fortino. Also, would it be possible for me to see the attending physician on duty this evening?" "Anthony Fortino, oh yes, Mr. Anthony, he is in room 305," she said with a smile. The receptionist then paged in French a Dr. Clanton, after a few minutes turned to Sherman and said, "He must be busy making his rounds. If you would like to go to Mr. Fortino's room, I will send the charge nurse to give you a report, yes"? "Thank you," said Sherman turning toward the elevators.

Sherman did not like hospitals, too many sick people in the place and the white pristine hallways reminded him too much of the time he spend waiting for his father as he received cancer treatments, shortly before he died. Sherman located Room 305, walked in, put his computer and bags on the floor and walked quietly to the bed where Anthony was sleeping. Sherman could not see any physical wounds on Anthony's face or arms and wondered where he had been hurt.

"Mr. Allen," said a soft voice behind him. Sherman turned and saw a beautiful 24-year-old girl wearing a form fitted nurse's uniform smiling at him. "Hello," she said again, "We just gave him a sedative, so he will be asleep for a while. If you will come with me I can give you an update of his treatment." The

young woman turned and walked out into the hallway and Sherman followed, feeling his 60 years. "If she was the Charge Nurse, the place must be run by children," he thought to himself. The nurse turned and said, "My name is Marie-Jeanne and I am the Charge Nurse this evening." "Marie-Jeanne, of course what else would you be called," he thought to himself as he smiled at her. She continued, "Mr. Fortino told us that you would be here and that we are free to talk to you about his condition." "Good," said Sherman.

"Mr. Anthony was admitted into the hospital at 1:15 this afternoon with a large laceration on his right side. It appears that the injuries were inflicted by a long small knife or a pair of large scissors. The entry wound was from behind him and upwards. Mr. Anthony, I mean Mr. Fortino told the admitting nurse that he lost his balance and that he fell back at the top of an escalator when the man in front of him stopped, knocking him off balance onto a man behind him on the escalator.

The wound is unusual in that the blade did not cut any of the muscle, rather pierced the skin and ripped it away from the muscle for about six inches. He lost enough blood to go into mild shock and he was brought to the hospital. Twenty four stitches, some pain pills and he should fully recover without problems in a few weeks." Sherman listened and asked, "Was there a robbery?" "No, Mr. Fortino indicated that none of his personal effects were taken and all of his cash money and credit cards were in his wallet," she answered. It does not make any sense, Sherman thought to himself.

"When will he be released?" "The Doctors will make that decision; however, I would guess that after a good night sleep and a change of bandages, he could be out tomorrow or the next day." "Can I wait until he awakens to talk to him?" Sherman asked. "Of course you can," she smiled. "But I expect that he will be asleep for several hours and may not awake until four or five in the morning."

Sherman thanked the Charge Nurse and fought back the urge to ask her out for a cocktail after she finished her shift to discuss Anthony's injuries further, as

well as his treatment plan. "I will be staying at the Ritz, would you indicate on his chart that I can be called anytime during the night if Anthony asks for me." "Yes of course," she replied. Sherman went back into Anthony's room, retrieved his computer, luggage and went back to the elevator, to the lobby and outside to the hospital taxi station. The taxi which Sherman had taken to the American Hospital of Paris was still parked outside of the hospital. Sherman waived him down and the driver said, "This late in the evening there are not many cabs in this area, so I thought I would wait for you for a while." "I am certainly glad I gave him a generous tip, I might have had to sleep in the Hospital Reception," he thought himself. During the cab ride back to the Ritz Hotel, Sherman digested all that had happened that day. He was too tired for a nightcap and went straight to bed, thinking of Anthony's injuries, the smile on the Charge Nurse's face and the good Judge.

[CHAPTER 18 - It's l' amour, Monsieur](#)

Judge Letterman picked up the receiver and listened before she replied "I need to speak with you today!" "Certainly," said George, "Do you want me to come down to your Villa or do you want to meet me in Monaco?" "Until we finish our business, I don't believe you should visit me here." "Okay," said George, "How about meeting at the bar at the Hotel de Paris in Monaco? Around 3:30 this afternoon?" "All right I'll be there, do you have anything for me?" she asked. George smiled to himself thinking that for better or worse, she was in the deal hook, line, and sinker. "Yes, I will bring with me the documents which we discussed." "Good," she said, "I will see you at 3:30."

Judge Letterman turned to Linda and asked her to make her a Cosmopolitan. Linda smiled and went into the living room and poured some vodka and a small amount of grenadine. The Judge had gone outside and was sitting by a small white wrought iron table by the pool studying the Villa's yard. The Villa's pool was hidden from the road running down to the beach, and from the neighbors and guests of the five stars Grand Hotel Cap Ferrat, by a 75-year-

old eight foot high hedge. Along the perimeter of the inside of the hedge were a dozen four-foot high rose bushes in full bloom leading to an ornate barbeque pit.

The layout of the pool and hedge was designed to direct the gentle ocean breezes down the length of the pool to the barbeque pit and blowing the cooking smoke away from the Villa. The Judge walked over to one of the rose bushes and broke off a large yellow rose in full bloom. She knew that when she physically accepted the \$5 million in Bearer Bonds from George, there was no turning back. She had always been able to make a decision and follow through regardless of the consequences. She was ready.

Linda came out of the living room, walked over to the Judge, gave the Judge her drink and said you have been very quiet. Very pensive, is there something troubling you? Do you want to talk about it?" she asked. The Judge looked at Linda for a long time, carefully contemplating her next words. "Linda, how long have we been together? You know, intimately." Linda blushed, that was part of her charm. "Almost twelve years," she said. "And during those twelve years have we had fun?" asked the Judge. "Yes of course," replied Linda. The Judge studied her face, reached out and stroked Lydia's long flowing jet-black hair. "How would you feel if we could live on the Riviera, not just for a few weeks, but for years. Perhaps travel to South America, England, Germany, Russia, even Tahiti?" Linda smiled and said, "I love you very much Catherine, I want to be wherever you are." The Judge smiled and took Linda's hand and said, "I am thinking about retiring, the thing with the President and the appointment to the Federal Bench has soured my taste for work and politics." "I am in the process of concluding a deal which will make me independently wealthy and allow us to travel virtually anywhere in the world for the rest of our lives."

"Is that what has been making you so pensive," said Linda? "Catherine, I respect you very, very, much. Whatever you decide to do, I will be with you," "Yes, I know," replied the Judge. "But the deal that I am negotiating is not strictly legal." Linda's eyes opened in surprise, she had never heard the Judge talk about even bending the rules. "How strictly legal is legal?" Linda asked with

a concerned look on her face. The Judge immediately realized that she had gone too far and said, "It's merely stretching the law, nothing to get excited about sweetheart." Linda's face relaxed and said, "Does this have something to do with the telephone call you just received?" "Yes, I have to drive into Monte Carlo this afternoon. Why don't you just enjoy the pool and we will find a place down the coast to eat this evening." "Terrific," said Linda. Judge Letterman did not understand how much she could reveal to her protégée; however, she knew that eventually she would have to tell her all of the gory details.

Judge Letterman drove her rental car up the narrow winding streets of St. Jean Cap Ferret, past the train station, which cut through the middle of the small Village, and up to the Grand Cornice Road. She followed the signs to Monaco winding carefully along the Grand Cornice Road that had been dynamited into existence over a period of years. She could have taken the quicker route through the mountain tunnels and taken the eight-lane freeway that was used by all of the trucks traveling between Italy and Nice, but this was a nicer drive.

It was a beautiful day in the Mediterranean, not a cloud in the sky and the sky was so blue that it appeared to have been painted on canvas. The traffic was very light and she slowed as she drove past the Exotic Gardens of which the Prince of Monaco was so proud. She followed the winding road toward the center of town where she drove into the underground public parking lot. The stalls in the public garage were so small that she could not understand why most of the cars did not contain scrapes bumps and other bruises associated with such cramped quarters. The parking garage had been dynamited out of solid granite by Prince Rainier and was buried 50 feet underneath the ground. She took the elevator, which opened out into a small park facing the Casino Royale and located the Hotel de Paris to the right of the Casino.

The door attendant at the Hotel de Paris smiled and nodded his head to her as she entered the hotel lobby. To the left of the hotel entrance was the hotel bar. As she entered the room, she was surprised at how dark it was in contrast to the brilliant sunlight just a few yards outside the hotel. The bar was your average

classic mahogany and glass and leather chairs bar. The room was divided by a pair of elegantly carved four-foot thick pillars that supported the massive wood ceiling. She looked for a table toward the back of the bar and spotted one behind an ornately carved wine rack. She ordered a Cosmopolitan and patiently awaited George's arrival.

George Rubinstein left his room in the Hotel Hermitage, crossed the Avenue Princess Grace and slowly walked toward Monte Carlo's central plaza. The narrow street was lined with high-end jewelry and furniture boutiques designed to appeal to the wealthy residents who made this European tax haven their home. He turned the corner that opened into the Grand Plaza at the center of Monte Carlo.

The bright oblong Grand Plaza was flanked by the Restaurant de Paris and the Hotel de Paris leading down a gentle slope to the steps of the Casino Royal. Facing the casino was a lush open-air park sitting on top of the public parking lot carefully concealed beneath the street. George scanned the faces of the tourists, which, even at this late hour, filled the plaza to overflowing. Wearing shorts and carrying heavy cameras, anyone in a suit or wearing a colorful dress was considered a celebrity to be photographed. The center section of the plaza and the front of the casino was lined with Rolls-Royce, Mercedes, Porsche and other high-end toys and trappings of the wealthy.

George went up the stairs and through the revolving door of the Hotel de Paris, one of the most elegant structures in Monaco. He paid little attention to the broad expanse which comprised the reception area of the hotel and which was lined by 25-foot tall marble columns, original oil paintings and medieval tapestries of indescribable value. George ignored all of the splendor of the hotel lobby including the splendid dome which dominated the room, he was only interested in the entrance to the Hotel Lobby Bar. He walked into the dark mahogany lined room. His eyes slowly adjusted to the darkness and immediately spotted Judge Catherine Letterman at the far end of the room hidden behind a

large column and a 500-year-old delicately carved wood and glass wine rack which gently cradled dozens of bottles of the most expensive wine in Europe.

Even from this distance, he could see that she was furious. George started to sweat as he gingerly made his way toward the Judge doing everything in his power to avoid showing how nervous he felt. George felt a surge of resentment toward Grant Daniels for placing him in this position. At this very moment, the rewards which had been offered him for his part in this exercise did not seem worth the pressure and anxiety to which he was being subjected.

George selected a chair at a table next to the Judge and looked around the room to see if there was anyone close enough to overhear their conversation. There were two couples at the other end of the room waiting for the piano player to return and a rotund balding Englishman at the bar nursing a drink. George turned to the Judge and said, "I'm sorry I'm late. I wanted to be certain that I was not being followed."

The Judge could hardly restrain herself and, after glancing at the man at the bar, said, "What the hell is going on George? I happen to know that Sherman Allen was in Paris a few days ago, what the hell is he doing here? You and Grant assured me that there was no way anyone could find out about our agreement. It cannot be a coincidence that Sherman was before me in Court in Los Angeles and a week later is in Europe popping up wherever I am." The Judge was interrupted by a distinguished looking gentleman in a well fitting tuxedo who came up to George and asked "May I get you a drink, sir?" "Uh, yes, a Martini please," George replied.

The Judge waited until the waiter was behind the counter before she turned to George and described her encounter with Sherman at the airport in Paris. "Grant assured me that only the two of you were involved in this transaction, is that still true?" George was distinctly aware of the fact that his boss had not mentioned to the Judge that Edward Kessler had been enrolled in the plan to assist George in the logistics involving the various transfers of funds. Grant Daniels had made it clear that the Judge would not agree to the plan if there was

any possibility that they would spread beyond he and the George. "Yes your honor, only Mr. Daniels and I have any information regarding this agreement and the transfer of funds."

She studied George's face carefully, applying the experience, which she had developed over her entire professional career to determine whether or not George was lying. George was sweating profusely and gave the Judge the poker face that he had developed over his 30 years of practice to hide the fact that he was lying. Judge Letterman lost; she could not read the fear and anxiety in George's eyes and decided that he must be telling the truth.

"I do not like the idea that Sherman was in Paris yesterday afternoon. He clearly recognized Linda and possibly me. He watched us at the airport bar for about 10 or 15 minutes. If his being here is simply a coincidence, why did he not just come over and say hello. What was the purpose of hiding behind a column at the airport and watching me? Are you absolutely certain that no one besides yourself and Grant know about this arrangement?" "Absolutely," said George.

"We have shared nothing with anyone. There is no way anyone could find out what we are doing and it would be literally impossible to track down the money transfers across three continents." In an attempt to change the conversation, George handed the Judge a simple brown manila envelope about three-quarters of an inch thick. The Judge undid the small metal clasp and pulled out a document, which looked like a colorful stock certificate bearing a large gold seal over a navy blue ribbon. She studied the document carefully and smiled. "Genuine negotiable Bearer Bonds, redeemable anywhere in the world," she thought to herself. She smiled and appeared visibly relaxed as she placed the document back in the envelope and placed the envelope in her purse.

She asked, "Did you personally purchase these securities and what was the source of funds that you used to purchase them?" George cleared his throat and said, "The funds were transferred from Los Angeles to London, back to the Cayman Islands, then through the Cape of Good Hope Bank in South Africa and

then to Munich Germany. I personally signed for the bonds and there is no way anyone could associated you with the securities."

"To be totally candid Catherine," said George. "I spotted Anthony in Paris and, on my own initiative, arranged that he should have an accident sufficient to encourage him to cut short his visit to Paris and return home to San Francisco." The Judge stared at George in disbelief, almost as much as for what he said that he had done but for the fact that they were now on a first name basis. She never suspected that George had any backbone and was surprised that he had involved himself to the extent of physical harm to another person. "What did you do?" she asked slowly and emphasizing every word. "I arranged for him to be mugged in a public metro station. I understand he was hospitalized and I assume that whatever business he had in Paris will now end and he will return to San Francisco," said George smugly.

"Do you know where Sherman Allen is staying in Paris?" "I don't know exactly however, he usually stays at the Ritz at Place Vendôme," replied George. "I have hired a local private detective to see if we can find him." "And what are you going to do when you find him?" asked the Judge sarcastically. "Well," said George, "I will have him followed and take steps to avoid him until all the funds have been transferred to your account in Monte Carlo. In that respect, there was a minor delay in the delivery from South Africa; however, in an abundance of caution, I thought it would be best to accept the delay for security reasons.

I will receive the 5 million in diamonds Friday afternoon. I anticipate that the wire transfer of the 10 million in cash out of the Monaco bank account directly to your new account at the Bank of Venice and Trieste, Monaco earlier in the day. Unfortunately, we have made it so difficult to track the transactions that there is an inherent time delay in the processing. I assure you that by Friday you'll have the balance of the funds as agreed." George had the diamonds in his possession; however, he did not like carrying them around to these meetings and had decided not to give them to Judge Letterman until after the 10 million had been transferred to the Judge.

The Judge sipped her glass of white wine and started to relax. George sensed that the tension between them had reduced considerably and started to relax. For a few minutes, the Judge remained silent and said, "I'm sorry that I snapped at you George, I know that you are taking every precaution to protect our interests." George smiled, as the Judge said, "Why don't you bring the package to the Villa at Cap Ferrat Friday after our meeting at the bank and we will have a Southern California barbecue on the Mediterranean." "Absolutely," said George, "I should be there about 4 o'clock if there are any delays, I will give you a call in the morning." "Excellent," said the Judge. Suddenly, the Judge's eyes widened and her face turned pale as a sheet.

George followed her gaze around one of the columns dividing the room and saw two men in black tuxedos enter the bar laughing at some private joke. One of the men went to the piano and started playing a melody and the other, whose back was to George, sat down facing the piano. "My friend, you should try the Restaurant the African Queen at the Port de Plaisance, Beaulieu-sur-Mer, the food is excellent and you will not see too many tourists," said the impromptu piano player. George watched the waiter carrying a crystal glass tumbler rush over to the man put the glass down and heard him say "Mr. Allen, welcome back to the Hotel de Paris, how nice to see you again. Can I get you a cigar?" George's heart skipped a beat and the warm sweat running down his back turned to cold perspiration. "Hello Felix, nice to see you again. I just checked in last night and will be here for a few days, please stock a dozen Havanas for me." The rest of the conversation was lost in the piano player's refrain.

The Judge suddenly moved her chair closer to George which placed both of them behind the large column in the line of sight between the piano player and Sherman Allen's back. "Do you think that he saw us?" whispered the Judge. "Absolutely not, but how in the hell are we going to get out of here. He is sitting directly in front of the entrance to the bar." "Well at least we know where he is staying and eating this evening," said the Judge sarcastically. She turned to George and said, "I want you to find out just exactly where Sherman is staying.

Perhaps you should arrange that Sherman be mugged during his stay here in Monte Carlo. I overheard the piano player suggesting to Sherman that he have dinner tonight at the restaurant African Queen, somewhere down the coast. I do not like the fact that he is here. Perhaps he is following me after seeing me buying a ticket to Nice or perhaps he knows something. I cannot take a chance. George, you must do something."

George said, "I will find out where Sherman is staying and have someone keep an eye on him. I will also arrange an accident which should encourage him to return back to San Francisco." The Judge watched Sherman's back intently. They had to find a way out of the bar without being seen by Sherman. The Judge noticed that the waiters returned the used cocktail glasses through a door behind the bar and near the wine rack. "George, I think we can go through the service door or perhaps a kitchen door without having to go out the front door," she said. George was rigid with fear. He now suspected that Sherman must know something otherwise, they would be no reason for him to be here. George started thinking that perhaps Sherman should have a car accident, perhaps after dinner he could suffer the fate of many careless drivers and drive off one of the 500 feet cornices as he drove back to his hotel.

The Judge said, "Let's go." She dropped a 20-euro note on the table and quickly arose from her chair. Keeping her eyes glued to Sherman's back, the Judge strode quickly toward the door behind the bar with George right on her heels. She almost ran into a waiter coming back into the bar with a tray of clean glasses. She pushed through the door and into a small brightly lit room. She saw that it was a small kitchen with another door at the far end. The headwaiter stood in front of her occupying almost the entire hallway leading to the door and said, "You cannot go out this way Madame."

She looked at him and said firmly, "It's my husband, he just walked into the bar and I am having cocktails with my lover. I do not want to make a scene, please let me go out the back door." The headwaiter suddenly smiled understandingly and said, "But of course Madame, this way please." The

headwaiter escorted the Judge and George to the back door pushed it open and said, "There is a side entrance to the Boulevard Stephanie to the left. No one coming out of the bar will see you." The Judge and George rushed for the exit, as the headwaiter said to himself, "Ooo la la, vive l'amour."

Sherman had recognized Judge Letterman and George Rubinstein immediately upon entering the bar at the Hotel de Paris. He had deliberately turned his back on the pair and did his very best to create the impression that he had not seen or recognized them. Sherman carried on an animated conversation with the white haired man playing the piano wondering how Judge Letterman and George were going to explain their presence in Monaco. The only exit to the hotel bar was directly in front of Sherman and he was prepared to wait the entire evening until they summoned sufficient courage to attempt to escape.

Finishing his cocktail, Sherman motioned to the waiter for another drink. The waiter promptly poured a Johnnie Walker Black on the rocks and brought it over to Sherman. As the waiter placed in the cocktail on Sherman's table, Sherman, in a soft voice, asked, "Have the couple in the back by the wine rack moved?" The waiter, not too discreetly, looked over Sherman's shoulder and said, "The couple has left."

Sherman turned and confirmed that the Judge and George were gone. "Claude, how could they leave without going through the front entrance?" asked Sherman. The waiter smiled at Sherman and said "its l'amour, monsieur. The Lady observed her husband come into the bar and did not wish to be seen with her lover. They exited the salon through the service entrance behind the bar, avoiding the embarrassment." Sherman laughed, broke into a broad smile and said "Ooo La La, L'amour. I know the gentleman well, I was supposed to meet him here this afternoon. Now that he has encountered his lady friend, I don't know how I will find him. Perchance did you happen to overhear where he was going?" asked Sherman. The waiter thought for a moment and said "I did overhear them discussing a, how do you say it, barbecue, at a Villa in St. Jean Cap Ferrat." "Yes," said Sherman, "Now I remember, he has a Villa near the

Grand Hotel Cap Ferrat. I will catch up with the rascal later, thanks Claude." Sherman finished his drink, and signed the receipt and left Claude a generous tip. Sherman said goodbye to the piano player and walked into the lobby. He stood for a moment at the dark brass statue of Louis XVI that dominated the entry into the hotel.

Sherman rubbed the King's nose for luck, went to the Maitre d' of the hotel restaurant and asked to use the house phone for a local call. Sherman called Anthony. "I just saw the good Judge and George Rubinstein, and they saw me. They literally ran out the back door of the bar at the Hotel de Paris. First thing in the morning start calling the hotels in Monte Carlo and see if we can locate where George is staying. I will focus on identifying the rental Villas in the area." "Ok Sherman, I did not want to do too much walking anyway, I need to get some sleep," said Anthony.

Sherman asked the Maitre d' for a table. "Of course Mr. Sherman, this way please," said a perfectly tailored waiter. Sherman entered La Salle Empire, one of the finest restaurants in the south of France. The dining room was called La Salle Empire and was clearly designed to reflect the high baroque period. The thirty foot arched ceiling was delicately balanced on two Corinthian pillars and by paneled walls crested by rope decorations carved from wood and gilded in gold leaf. The light pastel colored walls softened the light from four massive chandeliers gracefully clinging to the ceiling on chains of gold reminiscent of earnings on a beautiful woman.

The panel on the east wall enclosed a 20-foot wide floor to ceiling fresco of nymphs dancing around an imaginary garden adding to the elegance of the room. The massive room was adorned by less than a dozen tables. They were spaced in a manner that a normal conversation could not be overheard or interrupt the conversation of the diners. The south end of the grand salon opened into a private patio that overlooked the plaza and the Grand Casino. The Grand Salon patio was surrounded with high delicate plants and covered by the starless Mediterranean sky.

As he entered La Salle Empire, Sherman was led past the 17th century splendor through a corridor of young men in black tuxedos. Sherman counted at least twelve waiters on each side until they reached the patio where two tables were set with an amazing number of silverware, crystal and china over a center flower setting surrounding silver candelabra. The presentation was stunning. As he sat down, Sherman noticed a small square mahogany bench covered with white tapestry material that had been provided for the ladies handbags.

Sherman was impressed with the service. Sherman noticed that a waiter discretely hovered over each diner, silently anticipating their every need. The four waiters were commanded by a fifth waiter, who coordinating the entire meal and insuring that the entire service was flawless. You were aware of their presence, but did not notice them anymore than you noticed the champagne bucket next to the table. A simple nod of the head would bring more wine. Soiled silverware was discreetly replaced; new glasses were provided for each new bottle of wine.

Sherman was most impressed when he noticed that during the middle of his main course, a waiter added a second serving of veal to his plate. Sherman was an accomplished cook and understood that the meat would continue to cool as the dinner progressed and would lose some of the freshness and moisture. It appeared that the Chef, anticipating that occurrence due to the length of most European meals, cooked a second serving and had it served after the diner had finished his first serving. In this manner, the diner would taste the warm sweet, moist juices throughout the entire serving. Dinner was excellent; Sherman was impressed with that kind of detail. Sherman would sleep well that night.

[Chapter 19 - No Coincidence](#)

After spending the day calling rental agencies in Nice about rental Villas in St Jean Cap Ferrat, Anthony wanted to get out of the hotel and relieve his boredom from the hours sitting in his room calling hotels in Monte Carlo asking for George Rubinstein or Edward Kessler. Anthony, after exhausting the list of

hotels in Monte Carlo, had called hotels in the small towns in the numerous resort hotels surrounding Monaco. Frustrated, on impulse, Anthony called to the front desk and asked if Mr. Rubinstein had checked in yet. To his surprise, both George and Keller were staying at the same hotel. Anthony immediately dialed Sherman's cell phone number. "I have found them Sherman," said Anthony. Excitedly, Sherman said "Where?" "They are staying at the Hotel Hermitage; I am surprised that we have not tripped over them." "I'll be damned," said Sherman, "Do you know what rooms they are in?" "No," said Anthony, "I could not get that out of the hotel. We should be careful; it is very possible that they may have already seen us. We have not been trying to be inconspicuous."

"You are right, if they have not seen us, let's keep a low profile, we do not want to spook them. Let's get away from the hotel, let's get something to eat," said Sherman. "I ran into an old acquaintance that does business in and about this part of the world who suggests we try the African Queen restaurant." "The African Queen," said, Anthony, "What type of food do they serve?" "Fish, what do you expect in the south of France," said Sherman. "The movie, the African Queen, was filmed on location in Nice and the surrounding area. Humphrey Bogart, Catherine Hepburn and much of the film crew would spend their off-hours eating and drinking at the Port de Plaisance yacht harbor in Beaulieu-sur-Mer. After the movie became famous, the restaurant changed its name, put up posters of Humphrey Bogart and Catherine Hepburn and increased their rates. The food, however, is excellent and the ambience is worth the trip. Now, get yourself cleaned up, and sneak out the back of the hotel and I'll pick you up in about 30 minutes," said Sherman. "In the meanwhile, keep an eye out for the boys."

Sherman and Anthony took the Grand Cornice road toward Nice enjoying the spectacular panoramic views of the Mediterranean. The rays of the setting sun reflected off the rocky cliffs and highlighted the many Villas, which peppered the side of the mountain. "You can see the yacht harbor at Beaulieu-sur-Mer over there," said Sherman, as he pointed to a cluster of boats 600 feet

below the road. Sherman maneuvered his Ford Escort through the narrow winding street with the confidence of a local. "How can you find your way through the maze of streets?" said Anthony. "It's easy," said Sherman, "You really cannot get lost. You simply continue taking whichever street goes down toward the beach. Eventually you will always get to the water and from there to the yacht harbor and the restaurants which are always clustered around the base of the mountains. To get back up you do the reverse, the last road on the mountain is the Grand Cornice."

Sherman and Anthony arrived at the African Queen in Beaulieu-sur-Mer shortly after sunset. It was early for dinner and there were only a few couples having cocktails and enjoying the Mediterranean breeze. Sherman asked for a table near the back of the restaurant in order to watch the local diners wander in. "At these local restaurants, you get to see some of the most interesting people in the world. Most of the residents of Beaulieu-sur-Mer are expatriate Americans, Brits, Spaniards and an occasional German. They spend their lives enjoying a quiet life, usually living off the interest generated from enormous family spendthrift trust funds that they cannot touch until they reach the age of 50. By that time, their parents assumed that they would become more responsible and look for direction in their lives."

"I would find it very difficult to spend my time eating, drinking, sleeping, sailing and simply just lying around," said Anthony. "So would I," said Sherman. "Unfortunately, Anthony we live in a society that rewards hard work and the challenge of overcoming obstacles. If we did not have anything to overcome, I believe we would all die of absolute boredom."

"Speaking of a hard worker... Hello Heinz, do you actually frequent restaurants that you recommend?" A tall silver haired man with a broad smile approached their table; Sherman stood and braced himself as the tall man gave him a huge bear hug. "Sherman, my friend, are you enjoying yourself? I asked Harry, the owner of the African Queen, to be on the lookout for you and to give you the best service in the south of France." "We are having a wonderful time",

said Sherman. "The restaurant has given us the best service in the south of France, as they do to all the local patrons. You have time for a drink with us?" asked Sherman. "I am so sorry, but there is this woman who has invited me on her yacht to tune her piano, and who would be very disappointed if I were any later than I already am," Heinz said with a smile.

"Is it business or pleasure?" asked Sherman. "Pleasure, I hope," replied Heinz. Sherman and Heinz embraced again and Anthony watched as Heinz hurried from the African Queen crossed the street and bounded up the plank of the "St. Louis," a British registered 60 ft. Power Sailor with its engines quietly idling. Sherman could not see the woman's face; however, he noted that she had the figure of a swimmer. Sherman smiled and said, "Sometimes I envy the life of a gunrunner like Heinz, living out of a suitcase, no responsibilities, earning millions of dollars from the sale of weapons and munitions. Taking your life into your hands every day, maybe it's not such a great life."

"He's a gunrunner?" said Anthony. "Yes," replied Sherman, "I met him in Monte Carlo several years ago with his then German wife. I do not know all of the details, but Heinz's lifestyle occasionally involves being shot at. She apparently was involved in a shooting incident that landed Heinz in the hospital for several months. I understand that she left him shortly thereafter. This is a unique part of the world which traffics in money from all different sources." Anthony shook his head and began to study the menu.

Sherman and Anthony enjoyed a restful meal, almost forgetting why they were in France. They discussed and planned, anticipating where and when George and his partner would leave the hotel. They would follow George and his partner and perhaps locate where the Judge was staying. Sherman had spent the day calling hotels and asking for Judge Letterman without success. It was not enough to have located George, it was necessary to find the Judge and somehow determine where the transfer of funds was to occur. There were hundreds of banks in Monte Carlo, although the majority of them were fictitious and only served as cover for money-laundering activities. The Professor had narrowed

down the choices to less than a dozen banks, and George would lead them to the bank and the Judge.

The meal at the restaurant African Queen had been delicious, everything that Sherman had said it would be. As the pair walked to their rental car, a medium-sized Ford Escort, Anthony was feeling almost normal. The three days' rest had done wonders for Anthony. The stitches were starting to dissolve and he was becoming less sensitive to the throbbing pain radiating from his wounds. Sherman drove the Ford across the yacht harbor of Port de Plaisance and up the narrow road leading to the Grand Cornice that would take them back to the Hotel Hermitage in Monte Carlo.

The Grand Cornice was a two-lane road carved out of solid granite winding through the steep side of the mountain curtain 1000 feet above the rock-strewn beaches below. The moonlight softened the ragged stone protruding from the side of the mountain, giving the illusion that a thin mist coated the narrow winding road. The Ford nimbly followed the road from Beaulieu-sur-Mer. The Ford's headlights ruthlessly overpowered the moonlight and highlighted the three-foot high retaining wall, the only barrier between the car and the beach far below.

Sherman was enjoying the illusion created by the moonlight and was traveling below the posted speed limit. As he approached a long narrow tunnel, he noticed a small gray Fiat approaching from behind at a rapid rate of speed. "Typically French", he thought to himself, "All of them think of themselves as super race car drivers." Sherman slowed down and gave the gray Fiat the opportunity to pass. As the gray Fiat moved parallel to Sherman's car suddenly turned sharply into Sherman car, slamming it against the stone retaining wall.

"What the Hell?" he said, turning the steering wheel toward the inside lane and stepping on the accelerator, quickly pulling out in front of the other car. "That guy is trying to run us off the road!" yelled Anthony. "He certainly is trying to do something," said Sherman. The gray Fiat accelerated and slammed into the rear of Sherman's vehicle causing it to fishtail as Sherman fought to

regain control. "I don't like this," said Sherman. "This guy is trying to cause an accident for no apparent reason."

Sherman accelerated the Ford, straining to see around the corners "Keep an eye out for the headlights of any oncoming vehicles," he said. The gray Fiat was rapidly overtaking them again. Sherman fought to stay in front to avoid any further attempts by the gray Fiat to push him into the retaining walls, which had suddenly changed from stone to aluminum guardrails. Sherman accelerated the Ford and could barely make out another tunnel at the top of the grade. As soon as he entered the tunnel, Sherman slowed down and allowed the Fiat to get parallel to them.

Sherman aggressively turned the bigger and heavier Ford into the Fiat slamming it against the side of the tunnel. Sherman's instinct was to drive the Fiat's bumper into its front tire causing it to rupture and to slow it down enough to stop the chase. The Fiat accelerated off the wall of the tunnel and smashed into Sherman's driver's-side door lifting the side of the car a foot into the air. With the end of the tunnel in sight, Sherman made one last effort to drive the Fiat into the side of the tunnel and was rewarded with a trail of sparks showering from the driver's side of the Fiat.

The gray Fiat slowed momentarily but quickly resumed its chase. Sherman tried to maneuver his larger car toward the inside of the road to manage the curves. The Fiat smashed against him from behind, briefly disorienting Sherman who was forced toward the guardrails along the side of the road and struck them, knocking several of the supports into the ocean below. Fortunately, the guardrail held and Sherman maneuvered back toward the center of the road.

Sherman thought that he could outrun the Fiat on a straight road, but his main concern was running into an oncoming vehicle. It was dark and he could not see beyond the next curve. The gray Fiat suddenly appeared to his left and rammed against him pushing the Ford against the guardrails again. Sherman maneuvered his vehicle to the center of the road. They approached another tunnel and Sherman deliberately slowed his car and allowed the gray Fiat to run

into him. The greater weight of the Ford absorbed the blow from the smaller car and it started to fishtail.

Sherman knew that he had more power and momentum than the Fiat at the slower speeds and, as the Fiat accelerated, he pulled over to the right of the tunnel allowing it to pass and again at this point, he applied full power and drove the Fiat against the side of the tunnel. The weight of the Ford slowed the Fiat and pulled the front bumper of the Fiat in a cloud of sparks as the side of the tunnel did its job by ripping off the left driver's fender off the smaller car.

Sherman's Ford shot out of the tunnel with the gray Fiat directly behind him. He raced across the bridge linking the Grand Cornice to the lower Cornice to Monte Carlo and could see the fork in the road, one prong turning toward the toll road on the left and the other down toward Monte Carlo on the right. Sherman accelerated his vehicle and made a sharp right turn at which point the gray Fiat struck Sherman in the rear passenger-side throwing the heavier Ford into an uncontrolled spin.

Fortunately for Sherman and Anthony, the area after the bridge and the fork in the road was one of the few relatively flat areas along the two cornices. The area was approximately a third of an acre, used as a maintenance yard for the Monaco road crews and was lined with scattered lumber. Sherman's car was brought to a jarring stop against a pile of lumber; the Fiat also came to a stop in the middle of the road. The gray Fiat did not move for what seemed to be an eternity, suddenly it accelerated turned left and out toward the toll road.

"Are you okay Anthony?" asked Sherman breathing heavily. "I think I may have soiled myself. If not, I really need to take a pee," said Anthony. He kicked the battered passenger door several times until it opened. He stepped outside the vehicle and urinated. Anthony was starting to get angry and stammered, "Why would anyone want to drive us off the road? They were clearly the aggressors." "There is no reason for anyone in the south of France to want to do us harm", said Sherman calmly. "Anthony, I do not believe the mugging in Paris was an

accident nor do I believe that tonight is a random act of violence. I believe this has something to do with the Judge and George.

Perhaps, they know that we are here and are trying to scare us off their trail. I cannot believe that the Judge would condone physical violence; however, I can't believe that she would take a bribe either." "I agree with you Sherman, none of this is an accident. Those people were trying to drive us off the road and 1000 ft. down the side of the mountain. I don't believe that they wanted us to survive the trip," said Anthony.

"Do we report this to the police," asked Anthony. "I think we are going to have to explain to someone why our fine rental vehicle went from brand new to early junk," said Sherman. "I will get the Concierge at the hotel to have the car towed to the rental agency and ask that a replacement vehicle be available for us by morning. We are going to have to watch our backs from now on. Since we have nothing new from Justice Kensington or the Professor, tomorrow we will have to scour all the major banks in Monaco and match up the Judge's account. I will call around and find out exactly where the Judge is staying in Cap Ferrat. If either of them had anything to do with this, which I think they did, they must be getting desperate. We must be getting close."

"Let's see if the good old Ford will start," said Sherman as he turned the keys in the ignition. The car started immediately, Anthony jumped into the passenger seat and forced the damaged door closed. Sherman scanned in the horizon for the gray Fiat and started driving to the hotel. They arrived at the Hotel Hermitage shortly after 10 in the evening and parked the vehicle near the back entrance to the hotel. Sherman spoke to the Concierge and explained that they had been in an accident and that they wanted the vehicle replaced by the rental company early the next morning. Sherman explained that he would prepare the necessary paperwork and deliver it directly to the rental car company the following morning. "I need to think about this for a while," said Sherman. "Get some rest, you are still healing." Sherman said goodnight to Anthony and walked slowly to the Hotel de Paris.

Sherman sat at the Hotel de Paris bar and had several Johnny Walker Blacks as he reviewed the evening's adventure. They still did not have anything concrete against the Judge and even if they were able to track down the local bank account, it would be difficult to get proof that the funds were actually being transferred from George's Law Firm to an account for the Judge. He decided that the following morning, he would call Jean-Marie, the rental agent for the Principality of Monaco and have him track down the Judge's rental Villa in Cap Ferrat. Sherman did not like asking favors from anyone in Monte Carlo, they expected an evening of dining and socializing, time, which he did not have. French men were very prone to hold a grudge and would treat the rejection as a personal affront. Unfortunately he was getting desperate and Jean-Marie was too valuable a resource to waste.

Sherman thought about following George for a few days, now that he knew George was staying at the same hotel. Although nothing was said between he and Anthony, it was clear that someone had tried to kill them that night and failed. It was not a great stretch of the imagination to conclude that the same individuals might try again. Sherman knew George professionally for at least 10 years and could not believe that he would be responsible for an attempt on someone's life. Sherman signed for his drinks, went up to his room and went to sleep contemplating what course of action they should take. The bar had been raised tonight. This matter went from a legal issue to a potential murder issue. The stakes were higher now and he had to determine whether or not he wanted to continue to expose Anthony to any further danger. Sherman drifted off into a restless sleep.

[Chapter 20 - They Are Shooting At Us!](#)

The Concierge at the Hotel de Paris delivered to Sherman a handwritten note indicating that a Dr. Valadez wanted to meet with him the following afternoon at the Grand Hotel St. Jean Cap Ferrat to discuss certain inquiries made by Anthony regarding the Cape of Good Hope Bank of South Africa. Sherman did not know any Dr. Valadez and assumed that the office had set up

the arrangement. It was early morning in California and he decided to meet Dr. Valadez and call the office in the morning for more details. Since Anthony had made the initial contacts with the Cape of Good Hope Bank of South Africa and was not complaining about his wounds, Sherman decided Anthony should come with him to the meeting.

"We can call the office after our meeting with Dr. Valadez," said Sherman to Anthony as the door attendant opened the large brass doors of the Grand Hotel. Sherman and Anthony walked toward the hotel registration admiring the Venetian chandelier, which dominated the room and the old baroque mirrors and pictures, which fought for space along the walls of the long corridor. Sherman approached the Concierge and asked, "Do you have a message for Sherman Allen from a Dr. Valadez?" "Yes, Monsieur, Dr. Valadez asked that you meet him at the Dolphin Club." "Come Anthony, let's go through the gardens," said Sherman. The back of the hotel opened out on a large patio with a breathtaking view of the sea, specifically designed for those elegant dinner parties common to the south of France. The patio wound down through three flights of stairs into an ornate series of hedges that allowed the hotel patrons to take quiet private walks in the evenings without encountering other guests. The gardens were lined with numerous ornamental statues.

Sherman loved this old hotel but rarely would stay there. It was too far from the casinos and restaurants in Monte Carlo and provided too quiet a lifestyle for Sherman's tastes. As they walked toward the hotel pool, Sherman described how the gardens had changed since his last visit. Anthony had to listen to Sherman's constant chatter as they walked down the 100 yards down the hill to the top of a cliff, which led to the hotel pool. There was an elevator that would take the hotel guests 30 feet down to the pool; however, Sherman decided to take the path to the pool so he could describe the setting to Anthony. Anthony was getting more history of the hotel and the gardens than he really wanted. The wounds in his side still throbbed as he walked. He understood Sherman's passion for storytelling and had long ago resigned himself to accept this quirk in his boss's

personality. The pair made their way down three flights of stairs through the lush and green opulent gardens and across the street to the path leading down to the hotel swimming pool. The pool area was designed to look like a roman temple and bath, ruins of which dominated the south of France for a thousand years.

Anthony whistled, "This is gorgeous, the pool looks like a piece of solid glass that blends into the Mediterranean flawlessly." "And it's nice for swimming too," said Sherman. The pool area was empty except for a tall silver haired man speaking into a mobile phone connected to a silver metal briefcase and nursing a cocktail. Heinz recognized Sherman and waved. "No Dr. Valadez, but there's Heinz Gunlick, our distinguished German gunrunner," said Sherman as he waved back. "It's still hard to believe that he is a gunrunner," said Anthony. "It is like any occupation. He buys used weapons from the Russians and sells them to various ambitious Iranian and Egyptian warlords who cannot afford to deal with the big suppliers. It is not a bad life; he makes enough money to afford to stay in luxury hotels and conducts his business from hotel swimming pools. The metal brief case is a high-powered telephone transceiver designed to make it difficult for members of the spy community to listen into his transactions. That should explain his great tan, he spends most of his time near the pool surrounded by sparsely dressed people who cannot easily be wired for sound," Said Sherman.

"Keep an eye out for the waiter. Even with the fancy name, the Dolphin Club, service by the pool side has never been the best feature of the hotel," Sherman said as he moved his chair facing away from Heinz. "Gunrunners sometimes can read your lips, especially if they know you. Now let's call the office and find out what information they have on the mysterious Dr. Valadez." Anthony took his mobile phone from his pocket and spoke into it "San Francisco" and his Erickson world phone automatically dialed the San Francisco office of *Allen, Peterson & Stein*. "Hi Stephanie, this is Anthony. Would you check to see if..."

Anthony was stopped mid-sentence by two loud noises that sounded like someone had dropped two garbage cans from the back of a truck. Almost

immediately, Sherman lurched backwards as blood spurted from his left shoulder. Sherman felt as if someone had kicked him in the leg sending him sprawling to the floor. Sherman fell with such force that he knocked Anthony's chair over. Anthony landed on his side and rolled on to his back and could see two men running toward him with guns in their hands. Sherman was momentarily disoriented; however, he recognized the gunshots and, feeling no pain, he knew instinctively he had been wounded. "Not again," he said, as he kicked the table over. Out of the corner of his eye, he saw blood spurting from a hole in Anthony's pants leg and soaking his pants.

The two men fired three more rounds in their direction and started to move in for the kill. Sherman's training as a United States Marine kicked in. Coupled with a burst of adrenaline and motivated by his imminent death, Sherman reached over for Anthony and utilizing his legs pushed himself backward on his back through chairs and tables toward the pool. He could see the first man taking point blank aim at his head and watched his expression of surprise as two bullets ripped through the shooter's chest sending him sprawling against his partner knocking them both down.

Neither Anthony nor Sherman could see Heinz crouched behind an overturned table unloading a full clip at the two shooters from his 9 mm Beretta pistol. In Heinz's business, one would shoot first and ask questions later. Standing in the line of fire behind Sherman and Anthony, he had naturally assumed that the shooters were after him and he defended himself. Sherman and Anthony scrambled into the pool, Sherman, with a vice grip on Anthony's arm, was dragging him across the pool leaving a bright red trail of blood in the water. Sherman could feel that they were in the shallow part of the pool and struggled to crawl over the side for protection.

The second shooter stood up and fired three more shots, missing Sherman's ear by inches. The shooter was confused by the return fire from Heinz, turned and fired several short bursts at Heinz before turning back to Sherman. Sherman, working on pure instinct, pulled Anthony down the path to the Grotto some

twenty feet below the hotel pool, attempting to put distance between himself and the shooter.

A set of stairs led from the pool down into a small natural grotto carved from the rock face of the mountain by the Mediterranean. The pair were covered in blood as they reached the edge of the path to the grotto when the shooter reappeared and fired two more rounds hitting Sherman in his left thigh. The shooter stopped, struggled to pull a fresh clip out of his jacket, reloaded his pistol and as he looked again at his target, he saw Sherman and Anthony fall into the Mediterranean into a pool of blood. The shooter ran down to the edge of the path and could just make out the shapes of Sherman and Anthony sinking to the bottom of the Mediterranean. The current pulled the two bodies away from the shelter of the cove and against the rocks on the side of the grotto.

Heinz was confused by the fact that the shooter had not continued his assault upon him. He was even more surprised to see the shooter check his companion and then race away from him toward the path to the grotto. Heinz cautiously approached the edge of the pool, looked down the path to the Grotto and saw the shooter firing into the ocean. Heinz stepped forward, took careful aim and shot the shooter in the left leg. The shooter turned around, saw Heinz, fired two more rounds at him and started up the path toward Heinz. Heinz ran back to his table, picked up his metal briefcase and ran up the trail back toward the hotel. The shooter painfully made his way back up to the pool area, dragged his partner to the street, loaded his body into a waiting van and drove off at a high-rate of speed. He fingered his mobile telephone using the speed dial feature and when he heard a voice answer, he said, "Mardi Gras, Mardi Gras, we may have lost Alfredo."

As he hit the water, Sherman could feel the salt seeping into his wounds. The searing pain cleared his mind enough to take a deep breath of air and before he sank into the Mediterranean Sea. Waves of nausea swept over him and he felt as if he were going to throw up. He realized that he was going into shock and

fought to remain conscious. "I have to concentrate," he thought to himself, "Think, think" Sherman grasped for some conscious thought to sustain him.

Sherman visualized the face of his wife Diane, he thought about having dinner at their favorite restaurant in San Francisco. He tried to remember the walls covered with pictures and scenes of San Francisco, the Golden Gate Bridge, and Cable Cars. He tried to imagine the jazz trio that would play soft music during dinner. The slim Asian woman at the piano, her long slender fingers gently roaming over the black and white piano keys, the black sweater, the string of white pearls, the intensity of the expression on her face as she coaxed the music out of the inanimate box of wires and pedals.

Sherman could not think coherently, he struggled to see the face of the Base player with the patch on his eye. "Which eye" he thought to himself "Yes, the right eye, no, the left eye." The drummer, what did the drummer look like? Gray hair, gray jacket, pink and purple tie." Sherman struggled to keep conscious; he tried to focus on his wife's face. He could see her soft red hair, she was trying to grow it longer then, he thought. He could not remember the color of her eyes. His memory faded into a cold gray fog.

The saltwater in his mouth evoked such a violent reaction that Anthony was instantly awake. He could hear the gunshots and was intimately aware that water was kicking up around him and realized that somehow, he had fallen into the water, not the pool. This was seawater. Somehow, he also knew that the person who had shot at him and Sherman was trying to finish the job. Where was Sherman? Anthony spit out the water in his mouth and instinctively started to swim away from the direction of the shooter. He dove underwater and started to swim away when he bumped into Sherman who was slowly sinking notwithstanding his efforts to keep his head above water. Anthony grabbed Sherman's arm and pulled him to the surface. The shooting had stopped momentarily as they came to the surface. Anthony took another deep breath, pulled Sherman under the water and swam toward the rocks at the end of the

grotto. It took all of Anthony's strength but he managed to drag Sherman around the corner of the cove and onto the rocks on the other side.

Sherman clung to the jagged rocks. Marine training or no Marine training his body was reacting to four burning bullet wounds being flushed with saltwater from the Mediterranean Sea. Anthony had regained consciousness and had been responsible for pulling him underwater to the rocks. Sherman did not know where Anthony had drawn the strength necessary to pull him through 20 yards of seaweed and waterlogged pieces of wood to the edge of the cliffs at the base of the hotel.

Anthony did not hear any more shots. He struggled to keep Sherman's head above water and to pull him fully onto the shore. He struggled over the slippery rocks until after a few minutes he reached the gravel beach and fell exhausted to the ground. Aside from a throbbing lump on the side of his head and a gash on his leg, he did not have any other injuries. He turned and looked at Sherman who was lying on his side, literally in a pool of blood stained water. Anthony could see two ragged tears in the side of Sherman's body that were bleeding profusely. Anthony removed his shirt and pressed it against the wounds in order to try and stop the bleeding.

Suddenly, someone grabbed Anthony by the shoulders. Anthony braced himself for another shot. "Are you all right?" It was Heinz. Anthony nodded and the man quickly turned his attention to Sherman. Heinz yelled something in French to someone behind him, two hotel waiters came over lifted Sherman and clumsily half dragged and carried him up the side of the hill toward the hotel. "My name is Heinz, we met the other night at the African Queen?" Anthony reached and pulled himself up and said, "Yes, thank you, did you see what happened?" "I saw two men come into the pool area and start shooting. I thought that they were shooting at me and I fired back. I wounded one of them but the other, instead of coming after me, followed you two as Sherman dragged you out of the line of fire at the pool and down to the grotto. I saw the gunman start shooting at both of you again."

"I returned fire and got out of there. From up the trail, I saw the shooter pick up his friend, drag him into a white van and drive away. I thought that both of you were dead because there was so much blood in the pool and in the grotto. I ran down to the beach to see if you had floated back onto the beach, when I found you." "Where are they taking Sherman?" asked Anthony. "Back to the hotel, the police should be here soon. Are you strong enough to walk?" "Yes," replied Anthony, "Let's go see about Sherman."

During World War II the Grand Hotel St. Jean Cap Ferrat was converted into a hospital. In the basement of the hotel was a complete hospital facility including a fully functional operating room. The Grand Hotel Cap Ferrat maintained a permanent but small staff of Doctors and Nurses as a service to the upscale community in St Jean Cap Ferrat and for the many resident hotel guests whose population was wealthy but elderly.

Someone had turned on the lights and made up one of the hospital beds where Sherman was lying looking particularly pale. Anthony approached the bed cautiously as Sherman weakly lifted his right hand and with a grin said, "I am too old for this sort of thing Anthony." Suddenly, a pair of uniformed paramedics rushed into the room, pushed Anthony out of the way, and started to cut Sherman's clothes off. One of the paramedics told Anthony to wait outside the room while they stabilized the patient.

Anthony went outside the room and waited patiently. After about 30 minutes, one of the paramedics came out and said, "Your friend is a very lucky man. He has been shot six times and all of the wounds are superficial." "What?" said Anthony. "There was so much blood!" "Yes," said the paramedic, "He has lost a lot of blood and was starting to go into shock. We have given him a couple of pints of blood, about 30 stitches and a couple of yards tape and bandages. Aside from a lot of pain, he should be good as new in a week or two." "Thank God for that," said Anthony. "Can I talk with him?" He asked. "Not now, we have given him a sedative; please let him sleep for a while." "Ok, I think I will go to the hospital waiting room and rest for a while myself." "First, let me look

at your leg," said the paramedic. "What for?" asked Anthony, looking down at his feet. Anthony was standing in a small pool of blood and suddenly he felt the pain from the gash on his leg. The paramedic cut Anthony's pants exposing a two inch long cut made by a near miss by a bullet. "You are lucky too," said the paramedic as he cleaned and bandaged the wound. Anthony accepted some aspirin and went to the hospital waiting room. A hospital orderly gave Anthony a blanket and he sat down on a sofa. Suddenly Anthony felt very wet and tired. He lay his head down on the sofa and fell into a deep sleep.

Anthony slept for about an hour before the knocking on the coffee table next to the sofa awakened him, it was the French police. Anthony spent the next two hours going over what happened at the hotel pool. He explained that he and Sherman were lawyers from California conducting business in Monte Carlo, that they had gone to meet a Dr. Valadez and that he knew no reason why anyone would want to kill them or harm them in any way. It was clear that the French police did not believe Anthony, but in the absence of any evidence to the contrary, they would file a report and the matter would be investigated.

The police asked Anthony to call and keep them informed as to where they would be staying in Monte Carlo during their visit. Anthony agreed. Anthony drove back to the Hotel Hermitage in Monte Carlo, changed his damp clothes and showered. Anthony unlocked the minibar, poured himself a double scotch and went to sleep. In the middle of the night, Anthony awoke concerned for Sherman. He called the Grand Hotel Cap Ferrat hospital Concierge and was informed that Sherman was in his hospital room sleeping. Anthony went back to bed and a restless dreamless sleep.

The following morning he drove back to the hospital and asked to see the Doctor in charge of Sherman's care. One of the Nurses led him into a small unobtrusive office where a middle-aged Frenchman was waiting. "Bonjour, my name is Doctor Augustine Dumont," and extended his hand to Anthony. "Hello Doctor my name is Anthony Fortino, Mr. Allen and I are law associates, I work for Mr. Allen in the United States as an attorney. We were in Monte Carlo on

business before this incident brought us to your hospital." The Doctor showed no expression and asked Anthony to sit down.

"Your employer is a very lucky man. None of the gunshot injuries that he sustained was of any substance; although he did lose enough blood to require some blood. He is a healthy 60-year-old man who should be able to recover quickly. The problem currently is that he has an infection and is running a very high fever which must be broken before we can release him." "What is the cause of the fever," asked Anthony? "We believe that he ingested enough of the Mediterranean to have caused his body to generate poisonous toxins. It is possible that he may have a kidney infection from those toxins. Mr. Allen has been started on antibiotics and we will have to keep him in the hospital until the fever breaks." "Are there any other problems that you are aware of Doctor?" "No, as I have said, he is a healthy man and physically strong. He is a survivor, after many years of practicing medicine you can tell the survivors. He should be up and around in a few days."

Anthony thanked Doctor Dumont and asked if he could see Sherman. "Certainly, but don't be too surprised if he doesn't remember the conversation. People with a high fever are readily confused and it takes a lot of concentration to communicate the most elementary matters." Anthony left the Doctor's office and proceeded directly to the Nurses' Station. The young Nurse took Anthony to Room 306 where he found Sherman in bed with his eyes closed. "Hi Sherman, it's Anthony." Sherman opened his eyes and although they appeared to be tired, immediately expressed recognition. A smile broke across Sherman's face and he said, "All that shooting and you look like you just returned from the Law Library." Anthony laughed, "My body aches like a son of a bitch and the aspirins that they give you here do not have much impact. I hurt more from being bounced against the rocks by the waves than anything else," said Anthony.

"Sherman, the police asked a lot of questions and I stuck to our story that we're here on business. I did not tell them that I suspect George had something to do with this, I didn't feel we had enough proof one direction or the other.

Besides, I decided not to expose our business until I had spoken with you." "Anthony, until I am out of here, I believe that you should keep a low profile. Whoever did this has to believe that they succeeded. If they do not believe they succeeded, then they might come back to try to finish the job."

"Right now I am running a very high fever which I will have to admit is keeping me from thinking very clearly. Perhaps you should move out of the Hermitage and move into a hotel in Nice for a few days. The Doctors say the fever should break in a day or two." "No," said Anthony firmly, "I'll stick around so I can keep an eye on you. Do you think that I should call the office and let them know what's going on?" "Absolutely not Anthony," said Sherman. "Low-profile means staying out of the public eye here and in California. I am now convinced that these bastards believe that we are enough of a threat to go to the effort to eliminate us. As soon as I am out of here, we are going to take the offensive."

Learn what you can about Edward Kessler through the Internet, State Bar, articles, I believe he was a naval aviator, that sort of thing. George will be easy, he is all talk and rarely likes to get his hands dirty. When we get out, we will squeeze both of them until they break. Right now I do not feel that good, but I would love the opportunity to kick the crap out of them."

Sherman's voice was dropping and as Anthony got closer to listen, he could feel the heat being radiated from Sherman's fevered face. "Okay Sherman," said Anthony. "I'll go back to the hotel, maybe drive over to Antibes or one of the other tourist spots in the area that should keep me out of sight. I will check up on you from time to time, in the interim, try to get some sleep." "OK," said Sherman as he closed his eyes. As Anthony left the hospital and drove back to Monte Carlo, he was amazed that even in his deteriorated physical condition; Sherman's mind was still able to formulate solutions to problems. He agreed with Sherman, this had gone too far and they would have to take the offensive to bring this matter to a conclusion.

Sherman ached all over. The half-dozen bullet wounds had been medicated,

stitched and bandaged, the abrasions covering his knees, elbows shoulders and butt had been medicated and the muscles underneath throbbed rhythmically. Aside from being stiff and sore for a few days, Sherman knew that he was going to be all right. The Doctor's concerns were over the amount of saltwater that Sherman had ingested and the ability of his body to overcome or restore its chemical balance promptly.

Sherman had been running a temperature of over 103 degrees Fahrenheit for the past 24 hours. He had been told that the antibiotics would take several days to break the temperature generated by his body removing the impurities from his system. Sherman could not think clearly. He concentrated on distracting his mind in order to make the hours passed by rapidly. Occasionally, he would stare at the clock on the wall and observe that no more than five minutes had gone by since he last checked it.

Other times, he was able to distract himself sufficiently to lose more than an hour since he examined the damned clock. Sherman was aware that Anthony had come by; however, he could not remember what they had discussed. Soon the aches and pains from his wounds were supplemented by complaints by his body objecting to lying in one position or another for more than two hours. God he hated being in the hospital, no, feeling so listless, helpless and out of control.

Sherman would look forward to the sleeping pill they gave him during the evening which would knock him out for eight to 10 hours. His dreams were driving him crazy. In his dreams, he was constantly trying to organize files that did not make sense and as soon as he organized the files, he would forget what the purpose of the organization was for. Sherman would study litigation discovery outlines and tried to determine what was required to complete them but could not focus upon the project nor what was necessary to be done. Everything was so disorganized in his mind and it was driving him crazy. It was out of this restless sleep that Sherman suddenly realized that his body was covered in perspiration.

Sherman's hospital gown was soaked with sweat and perspiration was

rolling from his hair into his eyes stinging them with each drop. Sherman grabbed the bed sheet, wiped his eyes and realized he had to go to the bathroom. His room was dark except for a small nightlight in the bathroom. Sherman slid out of bed, walked to the bathroom and relieved himself. As he left the bathroom, he found a terry cloth bath towel and used it to wipe the perspiration from his hair, his face and neck. He went to the window cracked it opened a few inches and let the cool Mediterranean breeze blow against his chest and face. Sherman dried his forehead and his hair vigorously and was suddenly aware that he was very, very hungry.

Sherman looked around for a dry hospital gown and located one in the bathroom. He carefully opened the door to his room and cautiously stepped into the dimly lit hallway. Sherman could see the Nurses' Station where a pleasant elderly woman was sorting charts. He walked over and said, "Hello, my name is Sherman Allen and what is your name"? The woman looked at Sherman not appearing to recognize him and said, "My name is Gabrielle, I am the Night Supervisor." "How can I help you?" Sherman said, "I am in the 3rd room down the hall and I am very hungry, can I order some food this early in the morning?" The woman face brightened with recognition, "Oui, monsieur Allen, you are the young man in 306. Why do you go back into your room, I will notify the Doctor and I will see what I can get for you."

Sherman walked back to his room pulled one of the chairs near the window, put the terry cloth towel over his head and rested. He could not believe he could get so tired walking such a short distance. Sherman was still perspiring profusely, constantly wiping the perspiration filling his eyes. He was almost asleep when the door to his room opened and the Nurse turned on the lights.

Sherman looked up sheepishly to see a tall thin Frenchman with the Nurse that he assumed was the night Doctor. "Mr. Sherman, are we feeling better?" he asked. "I'm not too certain, I ache all over, replied Sherman, and I'm sweating like a pig." "That is a good sign Mr. Sherman, it means that the fever you have been running for the past four days is starting to break and that your body is

working with the antibiotics to successfully drive out the chemicals created by the saltwater in your system." "Four days, I just arrived yesterday," said Sherman. "No," said the Doctor, "You have been our guest for almost a week".

The Doctor examined Sherman, taking his blood pressure, examining his eyes, thumping parts of this body and finally asked if Sherman would give him a urine specimen before he got any food. Sherman would have given the Doctor pretty much anything to get at the food which the Nurse was holding and appeared to be jealously protecting. The Doctor thanked Sherman, told him to get a good night's sleep and left the room. The Nurse had set up a bowl with cottage cheese, a bowl of yogurt and chopped strawberries and a container of milk. Sherman was so hungry, he did not see her leave as he consumed the small bowl of cottage cheese and licked the bowl with the sweet yogurt and strawberries. It was not much; however, if they had brought him a steak, he probably could not have eaten any of it. Sherman went back to bed, went to sleep peacefully and had no dreams.

[Chapter 21 - No Appeal to a Higher Court](#)

The Judge had agreed to meet George at the Bank of Venice and Trieste, Monaco at 44 Boulevard des Moulins, in Monte Carlo. With increasing trepidation, Judge Letterman drove her rental along the Grand Cornice admiring the breathtaking views she encountered as she drove toward Monte Carlo. She marveled at the artisanship of the road builders to be able to carve a road through solid granite over 15 stories above the Mediterranean. She wondered what thoughts must have gone through the mind of the Princess of Monaco when her Mercedes crashed through the guardrails and plummeted 1000 feet into the rocky beaches below.

Unconsciously, Judge Letterman reduced to the speed of her car and carefully maneuvered it around the curves of the road. As she reached the downtown business area of Monte Carlo, it was clear that there was absolutely no parking to be had anywhere. Remarkably, she located the Bank of Venice and

Trieste building and circled the block several times before she parked her car in a mini parking lot, consisting of four very small parking spaces and surrounded by a small park that was designed to bring some color to the building huddled against the cliffs that made up most of the principality. These small parking alcoves were scattered throughout the Monaco business district but impossible to locate with an empty parking space.

She walked over to a small discrete looking building which looked more like a clothing boutique than a bank. As she approached the front entrance, she spotted a uniformed security guard sitting behind a glass enclosure. She pulled on the door and found it was locked. The security guard pressed a buzzer that released the door. She walked into a small alcove with another glass door leading into the building. She noticed a small button next to a speaker and pressed the button and said "May I come in, I have business with the bank." "They certainly do not encourage people to visit the bank with all this security," she said to herself.

The buzzer went off and the door to the bank lobby opened and she entered a pleasant looking beige colored room containing three elegant polished wood Louis 13th gold and leather covered desks. George was sitting at one of them, concentrating intently upon documents before him. He looked up, saw her and said, "Hello Catherine, I have been reviewing the transfer documents and they all appear to be in order." She smiled, although she was still very uncomfortable at being addressed by George by her first name. She was more offended because George did not bother to stand and show her the judicial deference, which she had become accustomed to over the years.

She sat down in an elegant and very delicate chair, which appeared to be a duplicate of an antique that she had seen at the Palace of Versailles. She studied the room. The delicate beige wallpaper and contrasting gold and mahogany furniture tastefully arranged around the center office. This was unlike any bank that she had ever been to in Los Angeles, she thought to herself. George looked at her and handed her the documents he had been so intently examining. She

took the papers and studied them carefully. They represented her authorization to open an account at the Bank of Venice and Trieste, Monaco in her name.

The initial deposit consisted of a wire transfer from the Cape of Good Hope in South Africa in the amount of 10 million Euros. The bank official, a Monsieur Ranelagh, who looked like a waiter, was extremely attentive and watched her carefully as she executed the various documents. The Judge returned the papers to George who examined them briefly and then handed them to the bank official. He smiled and said, "This will only take a few minutes, may we offer you a glass of wine while you wait?" "No thank you," said the Judge. Monsieur Ranelagh walked across the room and disappeared into a cleverly disguised door by a large tapestry of men on horses and hunting dogs chasing a deer.

George said to the Judge, "I have already authorized the wire transfer to your account, and we set as your Personal Identification Number, your PIN number, the prearranged sequence of numbers which you asked us to use. As soon as we finish these transactions, I will go over to Barclays Bank, Monaco and pick up the other items that arrived by courier this morning from Munich. It should not take me more than one hour and I will bring them to your Villa." The Judge smiled and said "Excellent George. Can I assume that we will have no further problems with Sherman and his associate?" George was surprised that she would bring that issue up in a public place, he looked around the room nervously and said, "The matter was taken care of several days ago and neither Sherman nor his associate have returned to their hotels. I will discuss the details with you later this afternoon." "I did not think that the little bastard had it in him to pull this off," she thought to herself. She was relieved that she would never see Sherman Allen alive again.

Monsieur Ranelagh returned and said to the Judge "Madame, here is your passbook and an institution card which will permit you to withdraw funds from any bank in France, and Monaco, of course." He placed in her hand a small pink velvet bag that contained a Bank of Venice and Trieste, Monaco checkbook and a plastic card that she assumed was the equivalent of an ATM card. She stood

and said, "I would like to verify the personal identification number, the PIN?" "Yes, of course, we have a machine outlet in the bank.

Monsieur Ranelagh led the Judge to an ATM terminal discreetly hidden behind a magnificent six-foot rubber plant. She grasped the card firmly between her thumb and forefinger, inserted the plastic card into the machine and punched her California State Bar number in the machine's keypad. The machine accepted the number authorizing the transaction and asked the amount she wished to withdraw. Flushed with excitement, she punched in 10,000 Euros and the machine spit out sixteen 500 Euro bank notes and change. The machine thanked the Judge, returned her plastic card and printed a receipt. She smiled as she saw that the receipt reflected a balance of 9,990,000 Euros. She turned back to the bank official and with a broad smile said, "It works." George and Judge Letterman continued to smile broadly, as they thanked Monsieur Ranelagh for his assistance.

Caught up in the moment, George took the Judge's arm and escorted her through the double glass doors out into the Mediterranean sunshine, which appeared to be shining extra brightly this time in the afternoon. "I am going to pick up the diamonds and will bring them to the Villa in a couple of hours," said George. "I will be returning to Los Angeles in the morning and report to Mr. Daniels that we have completed the transaction." "Good, I will see you at 4:00p.m. for dinner." Judge Letterman was elated, ten million dollars, she had not felt this good in years. She was rich, still relatively young and could now look forward to spending the rest of her life enjoying the fruits of her labor. No more 16 hour days in preparation for Court or Motions, no more Republican social meetings, and no more lawyers, only fun and relaxation.

She had driven back to the Villa at St. Jean Cap Ferrat thinking, planning, and reveling in her good fortune. It was not until she turned off into Cap Ferrat that she started thinking about George and what he had done to Sherman and Anthony. She did not know George as well as his boss Grant Daniels and was unsure as to how much she could trust him. George had information that he

could use against her at any point in time. He had the ability to implicate her in Sherman's death and under California's Felony Murder Rule; she would be just as guilty as he was.

Her mood turned somber as she wove through the narrow streets toward her Villa. She pulled into the small enclosed parking garage and turned the engine off. She sat in the car for 20 minutes reviewing her options. Only she, George and the managing partner Grant Daniels knew what she had done. She was certain, although not absolutely certain, that Grant was not aware that George had exceeded his charge and had Sherman and his associate murdered. Killing people was not part of the deal. Money was one thing, murder was another. Grant had carefully and deliberately isolated himself from any of the financial transactions.

Other than authorizing George to transfer funds at his discretion from the Firm's various operating accounts throughout California, Grant had not personally involved himself in any of the transactions or how or where the money was transferred. Grant had left all the details to George and had even insisted, as a safety precaution, that George not keep written records of the transactions.

George was really the only link to the transfer of funds into her account in Monaco. George was the person who purchased the Bearer Bonds in Germany and took delivery of the diamonds from South Africa. George was the only individual that could point a finger at her or identify the various transactions that resulted in the transfer of funds to her. She could not let George be in a position of control over or threaten her future. She had in her possession \$10 million in Bearer Bonds, a bank account in Monaco with \$10 million in cash and would soon have an additional \$5 million in diamonds.

She had already carried out her part of the bargain, having issued her Tentative Decision regarding the litigation and had informed the Presiding Judge of the Superior Court that she had decided to retire from the Bench at the conclusion of the matters she was handling. She was now independently wealthy

and the only person who knew about the details was George. Something had to be done about George.

She took the velvet bag out of her purse, placed the ATM card into it with the checkbook and put the soft treasure into her pocket. She spotted Linda near the pool and said, "Linda, my dear," she said. "How are the preparations for the barbecue coming? Mr. Rubinstein will be here within the hour and I would like everything to be just perfect." Linda smiled and said, "I have marinated the steaks in soy sauce and spices from Provence. The salad is ready and I have an excellent apple tart for dessert." "Do you think that Mr. Rubinstein likes white wine or would he rather have a local Bordeaux with the steaks?" "Why don't we get him a bottle of both, and perhaps an ice cold Martini to start."

Linda went back into the house, placed a bottle of white wine in a tub of ice, opened a bottle of Bordeaux and set it aside to breath for a while. The Judge nervously arranged the dishes on the white wrought iron table and brought the coals in the barbecue to a bright white. The Judge went back into the house and poured herself a glass of white wine to steady her nerves. She was into her third glass of white wine when she heard a car pull up to the side of the Villa. She watched as George got out of the car and make his way to the front gate surrounded by six-foot high hedges.

As George approached the front gate of the Villa, he noticed the sign on the gate read "LEAVE YOUR KEYS IN THE CAR SO THAT THE PERSON IN FRONT OF YOU CAN EXIT!" George dutifully returned to his car, parked behind the Judge's rental, and put his keys in the ignition. "The people around here are very trusting", he thought to himself. "In Los Angeles, the car would be in Mexico within an hour. George worked himself back to the front gate where he saw the Judge waiting for him. "Hello Catherine," he said with too much familiarity for her liking. "Hello George," she replied. "Great, now we are fully on a first name basis. Somehow he feels he is my equal or rather his partner in crime," she thought to herself. Linda came out of the house carrying a Martini and gave it to George who smiled and thanked her politely. George did not

understand how such a beautiful young woman could find anything attractive about the Judge. He wondered if Linda knew about his deal with the Judge and the money he had just transferred to her on behalf of the Law Firm. "You throw the steaks on the grill George and we'll set the table." George felt like he was home again in sunny Southern California and barbecuing in the back of his house.

"How do you like your steak Catherine, Linda?" "We both like our steaks rare George," said the Judge. For the first time in several weeks, George was starting to relax. The Judge and her girlfriend were making him feel very comfortable. After consuming his well-done steak, three glasses of red wine and his fourth Martini, George felt very relaxed. The strain and pressure of the past few weeks was gone. The conversation over dinner had been very neutral, generally about the Mediterranean, the sunshine, the blue skies, the picturesque Villages and the lifestyle in the south of France. After dinner, Linda started to pick up the dishes and take them back into the kitchen. The afternoon sun was starting to set and the Mediterranean was turning into an immense pool of liquid gold.

"George, let's take a walk and get a better look at the sunset." I was wondering when she would ask for the diamonds he thought to himself. "Certainly," he said, "Lead the way". The Judge went into the house and told Linda she would return in 30 to 45 minutes. She came out and motioned George toward the gate and he followed obediently. They walked down the hill along the deserted road through the lower Gardens of the Grand Hotel St. Cap Ferrat and down the stairs to the cliff overlooking the beach and the dark green and blue Mediterranean.

Unlike California, the beaches in the Europe, or at least in this part of Europe, consisted of coarse gravel and other rocks washed up against the steep inclines of the mountains. The Judge led George around some bushes to the edge of one of the cliffs overlooking the beach. From their vantage point, 75 feet above the ocean, they had a full view of the Mediterranean sunset. To any

passerby, they were a pair of lovers, romantics enjoying the atmosphere created by the sun, sea and the surrounding hills.

George reached into his pocket, pulled out a small black velvet bag, and placed it in the Judge's hand. The Judge opened the bag, reached inside, and pulled out several diamonds the size of almonds. The diamonds were uncut and unpolished stones and did not sparkle or luster as the Judge had expected; however, their weight and translucent qualities were obvious. "Search around, you'll find several have been rough cut in order to demonstrate their quality," said George. The Judge searched the bag until she felt several smooth stones and pulled them out into the fading sunlight. The diamonds flashed in her hand as if they were on fire; clearly they were designed to show off the better qualities of the stones. They were approximately 15 kt. each and destined to be cut into smaller, more expensive diamonds. She gasped with delight at their beauty. She put the stones back into the bag and placed the bag into her pocket along with the checkbook and ATM card.

She turned to George and asked, "Are you absolutely certain that only you, Grant and I are the only persons who know about this transaction?" "Yes," said George, "Only the three of us." The Judge, hesitated briefly, and then without a hint of emotion, pulled a can of bug spray out of her pocket and in a single smooth motion, brought it directly into George's face and pressed the release. The deadly aerosol stream burned George's eyes and seared his lungs as he took in one of his last few precious breaths of his life. He gasped for air, let out a very small and very quiet cry, almost a moan, and stumbled.

He placed his hands over his eyes and bent over to balance himself. The Judge looked directly into his face for a moment, her fiery red hair waiving wildly in the wind. She braced herself and, with a practiced fluid motion, kicked him squarely in the chest knocking him to the edge of the cliff. George was totally disoriented, he stumbled, attempted to regain his balance but before he could stabilize himself, he slipped on the gravel on the edge of the cliff and fell backwards. As the ground gave away underneath him, he was acutely aware that

he was going to fall off the cliff. His body struck the side of the cliff as gravity dragged him toward the rocks lining the beach at the base of the cliff. George frantically, instinctively reached out attempting to stop his fall.

As the rocks on the side of the hill tore at his jacket, he was strangely aware that his sleeves were covered with blood but he felt no pain. Time started to slow down. With tears streaming down his eyes from the bug spray, which had been adroitly administered by the good Judge, he could see plants and gnarled dry brown roots passing by him. He frantically grabbed at them until his left arm snagged one. Momentarily he could feel his fall breaking as he pivoted and slammed against the side of the cliff. The only thought going through his mind was getting his hands around Judge Letterman's neck.

George frantically attempted to secure a foothold and momentarily felt that he had stopped his fall. As he looked up small rocks and dirt fell into his face and eyes. Suddenly, the fragile foothold which he had wrestled from the side of the cliff released and George felt his body falling into the air away from the side of the cliff. George's final thoughts of utter disbelief stopped abruptly. The side of his head was crushed and his legs were grotesquely twisted behind his back. The white foam created by the gentle surf turned red as it lapped against his body.

Judge Letterman's sentence was final and there was no appeal to a higher court. She watched George bounce off the side of the cliff again and again until his fall was stopped by the rock strewn beach. George did not move. From the position in which he lay, it was clear that he had broken his neck. The waves lapped against the dead lawyer's portly body. The Judge watched with some surprise as the waves pulled George's body slowly but steadily into the ocean a few inches at a time. She watched until George's body floated into a body of seaweed 20 feet away from the beach and disappeared from sight.

She raced back to her Villa and to George's car. The keys were still in the ignition. She backed the vehicle out and drove up the hill to one of the parking lots of the Grand Hotel St Jean Cap Ferrat. "No one will notice the car for at

least a week and by then I will be back in Los Angeles," she thought herself. The Judge walked quickly back down the hill to her Villa and found Linda sipping a glass of white wine and enjoying the dusk. "Where's Mr. Rubinstein," she asked. "He decided to leave early. He is scheduled to fly back to Los Angeles tomorrow afternoon," answered the Judge. As the Mediterranean sun completely disappeared, the temperature dropped. Linda said, "It's getting chilly, I'm going inside and finish cleaning up the dishes." "I'll stay out here for a few more minutes," said the Judge.

She waited until Linda had disappeared into the kitchen and walked over to some jars containing fertilizer for the roses that were planted alongside the six-foot high hedges. She emptied the contents of one of the jars, placed the two velvet bags into the jar and firmly affixed the cover. She walked over to the roses directly opposite the barbecue pit and picked up a trowel. She then walked over to the largest hedge and proceeded to dig a hole deep into the soil where she placed the jar and covered it up. She stood up and with her feet compacted the soil where she had buried her treasure. She reached down with her hands and moved some leaves over the spot so that it did not appear that the digging had been recent.

She cleaned her hands and went back into the house. She retrieved the envelope with the Bearer Bonds, placed them into a plastic folder and sealed it firmly. She went back to the barbecue pit, and slipped the plastic bag into the exhaust outlet of the barbecue and with the garden trowel, threw several scoops of ashes into the outlet. She rinsed her hands in the pool and reflected to herself that now there was only she and Grant. She was safe. But at what a price? Apparently there was still enough decent regard for the value of a life and the principles that had led her into becoming a lawyer and ultimately a Judge of some stature, to elicit remorse for having taken the life of another human being. The feeling did not last long as she began planning her trip back to Los Angeles and started considering sites for a retirement home from where she could travel

and see the world. She had extended the lease on the Villa for another six weeks, sufficient time to return and dig up her treasures.

She sat on the white wrought iron chair contemplating her actions. The twilight breezes and the setting of the sun into the dark Mediterranean Sea sent a small chill down Judge Letterman's back. As the darkness encompassed her surroundings, the Villa took on a cold and sinister appearance. For several long moments, Judge Letterman contemplated the seriousness of her actions. She knew that time would ultimately erase all feelings of guilt, but for the moment she had only one thought. She had to return to Los Angeles, closeout that life and make a new life with the money.

She looked at her watch and knew that it was after nine in the morning in Los Angeles. She dialed the number of her travel agent and asked her to change her returned tickets directly from Nice to Los Angeles in the following day. She waited a few minutes longer before she went back inside to find Linda and tell her they had to start packing. Several times that night she dreamed that she had seen George's look of surprise as he realized what she had done and the terrible price he was about to pay for his involvement. The following morning she felt no emotion whatsoever about George. She was consumed with plans about how she was going to blend into her new lifestyle. On the long flight home, even Linda commented on how rested and content she looked.

[Chapter 22 - Witness to What?](#)

Sherman had waited patiently outside of the Hotel Hermitage for George Rubinstein or Edward Kessler to return. Anthony was covering the back entrance to the hotel; however, there was no guarantee that Edward would not take the elevator from the atrium pool on the way back to his room. The Hotel Hermitage and the Hotel de Paris were connected by tunnels and elevators, which permitted the guests for both hotels to utilize the atrium pool, the Spas, the gym and the terrace restaurant located directly under the Hotel de Paris. Sherman was angry, very angry, he could not remember feeling this much emotion in years.

Sherman's body still throbbed from the bruises and the stitches restraining the body fluids from flowing out through the bullet wounds he had sustained. A change in the trajectory of those bullets a few inches in either direction and he would have been dead. The antibiotics, which the Doctors had given him, made him drowsy and he realized that the longer he waited, the more tired he was getting. It did not matter, he would endure it all, he was driven by the conviction that George and Edward Kessler had gone too far and he intended to extract a little revenge.

Sherman knew that they had not developed sufficient written evidence to sustain a charge of bribery against the Judge. Professor Knight-Jones's call earlier that morning advising him that they were tracking a \$10 million wire transfer from *Peterson, Daniels, Rubinstein & Greene's* Los Angeles bank account through the Barclays Bank Cayman Islands accounts. He suggested that the ultimate destination of the funds was an account at the Bank of Venice and Trieste, Monaco in Monte Carlo, a corresponding bank of the Cape of Good Hope Bank, Johannesburg, South Africa.

Professor Knight-Jones had located a match to Exhibit A under File no. 66 - MC/VT and identified a PIN under a file designated "File no. 12 -MC/VTP 045687" Sherman knew that with the personal identification number he could gain access into the account, he could also print out a bank statement through the banks web site. As of yesterday, the account had not shown up in the web site of the Bank of Venice and Trieste, Monaco. Sherman knew that Professor Knight-Jones and Griffiths were monitoring the transfers to determine if an account with that number was funded within the next 24 hours.

It was a very warm day and Sherman was starting to get sleepy. He had been waiting in the small park in front of the Hotel Hermitage for several hours and was starting to feel sleepy when he spotted Edward Kessler exiting the shuttle bus from the Prince of Monaco's Palace. The bastard must have been taken a tour of the Palace, Sherman thought to itself. He watched Kessler enter the hotel and followed at a discrete distance. Kessler turned to the right past the

Hermitage's front reception desk in the direction of the Terrace Bar. Sherman thought that he might have to wait in the hallway while Kessler had afternoon cocktails.

Kessler continued toward the Hermitage's rear reception area and through the ornately colored glass atrium designed by the fellow who designed the Eiffel Tower. Fortunately, Kessler did not take the elevator but rather elected to walk up the single flight of stairs and proceeded down the corridor where the rooms all are facing the harbor. Sherman quickly made his way up the flight of stairs, the bruises and aches and pains in his body totally masked by the adrenaline being pumped into his system. As Sherman got to the top of the stairs, he spotted Kessler opening the third door past the elevators. "I've got you, you bastard", Sherman thought to himself.

Sherman walked down the hotel hallway until he could read the room number, number 233. He quickly turned around and went back down the stairs looking for Anthony. He exited out the rear reception area of the hotel into a narrow alley that contained the various rental vehicles of the hotel guests. He spotted Anthony behind a large blue minivan and motioned to him. Anthony recognized Sherman immediately and rushed over to him.

"The bastard has just returned to his Room, number 233," said the Sherman. "Let's go give him a visit." Sherman led the way back past the reception and up the stairs. They stood outside of Kessler's room, for a moment undecided as to their next course of action. Sherman was pumped, he felt no pain, no throbbing of muscles, no fatigue. His only goal was to kick the hell out of Kessler. "I will knock on the door and when he opens the door, both of us will rush in at the same time," whispered Sherman. Anthony nodded and braced himself for the assault.

Sherman could hear the English version of CNN in the background as he knocked on the door. The door opened and there stood Edward Kessler, attorney at law and former Navy fighter pilot, with a look of shock and amazement across his face. "You're dead! They said you were dead," he muttered. Sherman and

Anthony lunged at Kessler and simultaneously hit him in the middle of his chest, knocking him onto the foyer tile floor. Sherman closed the door behind them and turned to find Kessler on one knee starting to get up off the floor.

Sherman launched a crushing blow that connected firmly on Kessler's jaw, knocking him back into the room and onto the tile floor. Anthony grabbed Kessler's right arm and twisted it behind his back until Kessler gave a cry of pain. "You son of a bitch, we are going to have a little talk," said Sherman as he helped Anthony drag Kessler off the floor and into the bedroom. Anthony stuffed a hand towel into Kessler's mouth as he kept the pressure on Kessler's arm inflicting just enough pain to control Kessler's movements.

"Edward, we know about the bribe to the Judge and we know that at least \$10 million are to be wire transferred to the Bank of Venice and Trieste, Monaco in Monte Carlo. We know that you and George hired local thugs to kill us. As you can see, they were quite unsuccessful. I also believe you are responsible for the attack on Anthony in the Paris Metro. You are going to jail for attempted murder, you are going to lose your license to practice law for attempting to bribe a sitting Superior Court Judge and finally, I'm going to break all of your fingers before we turn you over to the authorities." Sherman's voice was trembling with rage and Kessler was absolutely convinced that Sherman was deadly serious about breaking his fingers. As if to emphasize Sherman's resolve, Anthony added extra pressure on Kessler's arm eliciting groans of pain. "Do you want to talk Edward," asked Sherman? "Or shall I start breaking your fingers, one at a time?"

Kessler nodded his head vigorously and Sherman pulled the hand towel out Kessler's mouth. "It was not my idea to have you killed, it was George's. Yes, I helped George stab Anthony in an effort to encourage him to return to the United States, but George did not think I was aggressive enough and took over the arrangements." "Who set up the bank account in Monte Carlo?" asked Sherman. Kessler hesitated briefly and Anthony applied more pressure to his arm. "George handled all of the financial arrangements. He is the one that purchased the

Bearer Bonds and diamonds and the one who authorized the transfer funds from the Law Firms accounts to cover the payment to the Judge.

I was involved to assist George with logistics and in the event, he had any problems in Germany with respect to the Bearer Bonds. I speak fluent German you know." "Where are the records to the various bank accounts," asked Anthony. "George keeps those in his laptop and rarely leaves his room without it. He has never let me deal with the accounts directly or indirectly." pleaded Kessler. "Where is George now," asked Sherman. "He was going to complete the wire transfer of the \$10 million into the Judge's account this morning and pick up the Courier package from Barclays Bank containing the diamonds," replied Kessler. "I think he was supposed to deliver the diamonds to the Judge's Villa this afternoon.

"Look", he said, this whole thing got out of hand in Paris. I did not want to continue with the plan but George threatened to make me the fall guy and to recommend to Grant not to elevate me to full partnership of the Firm. The attempt on your life was stupid and I have been agonizing over your death for the past several days. I had already decided to resign from the Firm. Since George had the only solid evidence about the payment to the Judge, I really was left outside. I even changed my airline reservations to return to Los Angeles on a flight tomorrow afternoon. I only came back to the room to pack my bags. If you look in my briefcase, you'll find my letter of resignation to Grant Daniels which I was going to leave in George's room when I left," said Kessler with genuine anguish in his voice.

Sherman walked over to the leather briefcase sitting on the table and snapped it open. Sherman picked up an envelope addressed to George. He broke the seal and read the contents to Anthony. "Dear George, I cannot continue with this operation. I did not agree to participate in the murder of Sherman Allen and Anthony Fortino. To aid and abet in the transfer of a bride to a Judge clearly makes me a co-conspirator; however, I never agreed to physical violence or murder to accomplish that goal. I realize that you have trusted and expected my

loyalty; however, that trust never extended to the actions to which you have made me a partner.

I have taken the afternoon flight to Los Angeles and over the weekend will remove my personal effects from my office. If I am entitled to any vacation pay, please have it mailed to my home. Neither you, Grant, the Judge or I will ever meet again. Please accept this as my resignation from the Firm. Edward Kessler." "Well, it appears that he was telling the truth," said Sherman. Turning to Kessler, Sherman asked, "Will you help us develop evidence against Judge Letterman?"

Kessler cleared his throat and said, "I will do anything I can to help, but aside from corroborating these general procedures, I have no written information to give you." Anthony released his hold on Kessler's arm, who expressed his gratitude with a small grimace, which Anthony took for a smile. "You said that George was going to deliver the diamonds to the Judge at her Villa, what diamonds?" asked Sherman. "The bribe consisted of cash and cash equivalents of \$25 million. George was to purchase \$10 million in Bearer Bonds from a securities bank in Germany and to purchase \$5 million in high-quality raw diamonds in Belgium through a bank in South Africa, the Cape of Good Hope Bank. The balance of the payment was to include a wire transfer of \$10 million to an account here in Monte Carlo in the name of the Judge," replied Kessler.

"We thought the entire \$25 million was to be a cash transaction," said Anthony. "What was the source of the funds to fund this bribe," asked Sherman. "I am not certain as to the details, but I understand that Grant Daniels authorized George to withdraw funds from various accounts of the Law Firm and funnel them through an account in the Cayman Islands. The cover story was that an investor from South Africa was to purchase a condominium on 7 mile beach, outside of Georgetown in the Grand Cayman."

"Can you get into George's room and get your hands on his computer?" asked Sherman. "George's staying in Room 325 in this hotel. I do not have a copy of his room key; however, we are both checked in under the same credit

card and perhaps I can prevail on the Concierge to let me in to pick up my computer," he replied. "Good," said Sherman, "Why don't you and Anthony see if you can get the computer and any other documents in his room. In the interim, do you know where the Judge's Villa is located?" "Sure," said Kessler, "The address of the Judge's Villa is 23678 Rue du Faubourg, in St. Jean Cap Ferrat, near the Grand Hotel Cap Ferrat." "Do you know how to get there?" asked Kessler. "Oh yes, Edward, Anthony and I know exactly how to get there, the Grand Hotel Cap Ferrat has a great pool overlooking the Mediterranean," Sherman replied with a sarcastic smile.

"OK, the plan of attack. I will go down to the Judge's Villa and see if I can gather any information on the Judge's movements. Perhaps I can get a picture at the Villa of George and the Judge together. A picture, which she might find difficult to explain. I know the area generally; most of the Villas are hidden behind the 6 to 10 foot high hedges. There is very little parking in the area; however, I can park in the hotel parking lot and find Rue du Faubourg. I should be back before 6:00 p.m... Let's meet then at the Terrace Bar and see what information we have gotten together. Edward, I can't assure you that your helping us at this point will save your license to practice law in California, but I believe it will keep you from serving any hard time. We welcome your help".

Anthony had been quiet and suddenly spoke up, "What about the money in the bank, the \$10 million can quickly disappear. Why don't we open a separate accounts and when we locate the Judge's account, use the Judge's personal identification number and transfer the funds to the new account. That should create tremendous dissension between the Judge, George and his boss." "Great idea Anthony," said Sherman, "After you have secured George's computer, both of you go to the Bank of Venice and Trieste and open an account in my name and when the Judge's account is funded, we will affect a wire transfer. At that point, I would be comfortable in confronting the Judge and telling her what we have done and give her the opportunity to resign her position with the Los Angeles County Superior Court Bench. Nothing would give me greater pleasure

than to confront her directly," said Sherman. "OK that's all, go to work and we'll see you back here around 6 o'clock."

Sherman drove the new rental car past the Monaco Exotic Gardens and onto the Grand Cornice. In the bright Mediterranean sun, he could see the tire tracks where the week before the gray Fiat had driven them off the road before abandoning the chase. As Sherman drove through the tunnel he could see the scratches on the concrete where the two vehicles had careened off each other, as he proceeded down toward the St. Jean Cap Ferrat turnoff, Sherman marveled at the 1000 to 500 foot drops to the beach from the road. Had the Fiat driver been more aggressive, Sherman and Anthony would not have survived a plunge over those cliffs.

Sherman turned onto the road leading down to the Grand Hotel Cap Ferrat parking lot and selected a parking space away from the other vehicles in the lot. As he walked down the winding roads he could see the entrance to the hospital where he spent the last week overcoming that terrible fever, and where he and Anthony would have been declared dead if the shooters had been more accurate. Sherman located Rue du Faubourg, the Judge's Villa's front gate and could hear people talking behind the hedges. He continued past the gate and turned up the road on the other side of the Villa where he saw an opening in the hedges and quickly stepped in.

The sun was starting to set and the shadows cast by the hedges made the scene darker. Sherman could clearly make out the Judge and George finishing their meal. He also recognized Linda, the Judge's Court Reporter, starting to take the dishes back into the house. Sherman took several pictures but without the flash unit, he doubted that they would be clear enough to use as evidence.

Sherman watched as the Judge went to the front gate followed by George and proceeded to down to the winding streets toward the cliff above the pool area of the Grand Hotel Cap Ferrat. "The Villa was close enough for the good Judge to hear the shooting," he thought to himself. He followed discreetly behind the pair as they turned off the street and disappeared into the hedges at

the top of one of the walking trails down to the beach 100 feet below. Sherman continued to down the road past the pool house and look for a vantage point from where he could take a picture of George and the Judge. He spotted the pair standing together at the top of one of the cliffs overlooking the Mediterranean. Even though the sun was setting, the sunlight was directly on the pair and George pulled out his digital camera took several pictures. He adjusted the telephoto lens on the digital camera to try to get a clear picture of the pair. As he was snapping the second shot, all of a sudden he saw George double over and bring his hands over his face.

Sherman was surprised and lowered the camera. Sherman was even more surprised when he saw the Judge kick George squarely in the chest. George was losing his balance. Sherman was certain that he was going to fall over the cliffs. Sherman quickly brought his camera up and started taking photos as fast as the camera would accept them. He would later marvel over the picture of George with his arms in the air as he lost his balance and started his fall over the edge of the cliffs.

Sherman stopped taking pictures and watched horrified as George bounced off the side of the cliffs several times and landed on the beach below. He could not believe what he had just witnessed. The Judge had pushed, no kicked George over the side of the cliff and, unless George was very lucky, he was certainly dead. The beaches in the South of France are not the soft fine sandy crescents that most Americans were used to; they were composed of pebbles larger than marbles and made a very hard landing surface. The beach at the base of the cliff in Cap Ferrat was hard stone with irregular ridges carved by thousands of years of wave action. They looked like the volcanic coral you would find in Hawaii.

Sherman started down the path toward the beach. The adrenaline rush which had sustained him for the past several hours was starting to fade and he felt every bit his 60 years old body, the bruises, the stitches and the effects of the medication. Sherman struggled down the path until he reached the bottom and walked down the beach back toward where he had seen George fall. The sun had

now gone past the horizon and dusk was setting in. Sherman could not see George's body. The tide had peaked and he saw a dark object floating toward a massive clump of seaweed. As the dark object approach the seaweed, it disappeared from view. Sherman looked back up the hill and could not see the Judge.

Tired, Sherman reached into all of the reserves of energy he had left and started back up the walking path to the top of the hill. He reached the top where he had last seen the Judge and George. No one was there. Sherman started back up the road toward the Judge's Villa when he saw a car pulling out of the Villa's parking lot and made his way up the hill to the parking lot of the Grand Hotel Cap Ferrat. Sherman increased his pace and reached the edge of the parking lot in time to see the Judge exiting the vehicle. Sherman stepped behind the hedges and watched the Judge walk briskly back down the hill toward her Villa.

Sherman walked over to the vehicle and saw the keys were still in the ignition. Sherman started back toward his car when he noticed a leather computer carrying case behind the driver's seat. The computer, he thought to himself. Sherman opened the back door reached inside and picked up the leather carrying case. It was heavy. He had George's computer. Sherman closed the car door and walked back to his car. He sat there for a while contemplating the turn of events. He would have to report this to the police, the local French authorities might not take too kindly to this story; however, this had gone too far. Sherman considered that the Judge might report George's fall and he would have to explain why he had taken George's computer.

Sherman tired but with a second burst of adrenaline, walked back to the Judge's Villa and stepped into the gap in the hedge and looked into the backyard of the Villa. The Judge was having a glass of wine as if nothing out of the ordinary had happened, suddenly she stood up walked over to the barbecue pit picked a jar and started toward the hedge where Sherman was hiding. Sherman stepped back. He could hear the sound of a trowel digging into the clay earth. After a while, he heard the sound of someone stamping the soil with their feet

and then start to walk back to the house. Sherman looked to see the Judge walk back to a white wrought iron table, sit down and sip her wine. Sherman decided to get back to the hotel and relate his story to Anthony and Kessler.

Sherman drove back to the Hotel Hermitage exhausted. By the time Sherman had reached the Exotic Gardens outside Monte Carlo, he had gotten his second wind. He realized he needed a good stiff scotch, a good meal and a strategy session with Anthony and their newfound ally Edward Kessler. He was not certain how Edward would take the news about George. There certainly was a lot to talk about. Time however was of the essence, he did not know if St. Jean Cap Ferrat had a police force and did not know how to contact them. He would get the assistance of the hotel staff to make the report in Monaco and certainly, the following morning they would have to contact the local French authorities. Sherman dropped the car off at the front entrance of the hotel, tipped the bellboy handsomely and made his way to the Terrace Bar. Waiting for him were Anthony and Kessler.

"Hello Sherman", said Anthony. "We have good news and bad news, which would you like to hear first?" "Great," said Sherman, "I always want bad news first." "Well," said Anthony, "We were not able to gain access into George's room. As a consequence, we were not able to get to the computer." Sherman smiled; neither had noticed that he was carrying a black leather computer bag. "Okay, what is the good news?" "We got a message from the Professor Knight-Jones an account at Bank of Venice and Trieste, Monaco had been funded. We opened a separate account with \$500 of our Travelers Checks, came back to the hotel and utilizing the banks Web site, transferred \$9,990,000 U.S. into the new account utilizing the Judge's personal identification number." "Excellent," said Sherman. The waiter came with a drink for Sherman. "Mr. Allen, how nice to see you again," he said. "Thank you," said Sherman, "Thank you for remembering." Sherman sipped his double Johnnie Walker Black on the rocks and thought to himself, this is going to be a very long night.

After listening to Anthony and Kessler detail their attempts to get into

George's hotel room, and their delight in setting up the separate account and transferring monies out of the Judge's account, he reached down and picked up the leather carrying case unzipped the large compartment and pulled out a computer and placed on the table. "Gentlemen," he said, "George's computer." Anthony and Kessler knew there was more to this story and waited for Sherman to speak as he sipped his scotch. "Gentlemen, I'm going to tell you a story you are not going to believe."

[Chapter 23 - Appearance of Impropriety](#)

The Judge sat in her Chambers waiting for all of the lawyers to arrive. She had been home for over a week and had not heard a single comment about George Rubinstein or Grant Daniels, or anything out of the ordinary. Her Tentative Decision had become her Judgment and it was in favor of Grant Daniel's clients. *Allen, Peterson & Stein* had filed a Petition for Reconsideration and she had scheduled a quick hearing to dispose of the challenge to her Ruling. She considered how to react when neither George nor Sherman, the two lead counsels in the litigation, would make their appearance in Court. She had reviewed her Decision. She was ready to counter any arguments made by whomever Sherman's Law Firm had designated to make the arguments. Although, in the absence of Sherman Allen, she did not believe any of the other attorneys in the Firm knew the case well enough to raise any substantive issues. This would be a short hearing; it was going to be easy.

The Bailiff knocked on her door, opened it and said, "Your Honor all the parties are present." "Good, I will be right out," she replied. She adjusted her robe and strode into the Courtroom confidently. She took her position on the Bench and the Bailiff called the Courtroom to order. "Will the parties identify themselves for the record," she said. "Good morning, your Honor, Grant David Daniels for the plaintiff." "Good morning your Honor, Stephen Smith for the defendants." "Very well," said the Judge, "Where are Mr. Rubinstein and Mr. Allen this morning?" "Your honor, Mr. Rubinstein is out of the country for an

indefinite period." "Coincidentally, your honor, Mr. Sherman Allen is in France on business and has not returned in time for this hearing." "All right, we're here this morning to argue *Allen, Peterson & Stein's* Petition for Reconsideration of this Court's Ruling in *Cartwell Construction vs Integrity Insurance Company, et al.*, Plaintiff's Motion for Summary Adjudication is granted in part and denied in part pursuant to my ruling. Mr. Smith, do you have any new facts to present in support of your Motion for Reconsideration of the Decision of this Court, I did not see any in the pleadings?"

"Your Honor, we believe that your Decision misstates and misapplies the applicable law in this Motion. The facts, as they have been established to date, do not support the Court's conclusions. Further, the Court has overruled decisions made by several prior Trial Judges in this litigation. Under the circumstances, defendants would ask the court to reconsider its decision." "Thank you Mr. Smith," said the Judge turning to the plaintiffs' counsel. Grant Daniels, who had decided to handle this himself rather than to send another partner, stood and addressed the court, "Your honor, the issues have been fully briefed and the Court has rendered its Decision. We agree with the Court's position and suggest that in the absence of any new facts there is no basis whatsoever for this Request for Reconsideration."

The Judge studied the Courtroom and thought to herself, "I'm going to miss this. Absolute power over highly paid, highly skilled attorneys each equally convinced that their positions are correct will be difficult to replace. The defendants are getting a raw deal; however, I'm going to retire in a few weeks and will never have to look at these faces again." "Mr. Smith, do defendants submit the matter?" she asked. "Yes your Honor," he replied. "Mr. Daniels, do plaintiffs submit the matter?" "Yes your Honor," replied Grant. "The Court has considered the arguments and the papers filed in support of the parties' positions and rules that the Court's Order will stand. Gentlemen are there anything else that you wish to address at this time?" she asked. She looked across her Courtroom at the lawyers as they began to place their legal pads and files back

into their briefcases and stood, started to climb down from the bench toward her Chambers when she heard a voice that sent a cold chill up and down her spine.

"Your Honor, May I be heard please." She turned abruptly to see Sherman Allen moving toward defendant's counsel table. She was so shocked at seeing Sherman that it took her a moment for her to realize that the behind Sherman Allen was Judge Andrew T. Williams, the Presiding Judge of the Los Angeles Court System and two United States Marshals in full uniform. She stood on the platform between the Bench and the door to her Chambers. Her hands became clammy and the lines on her face showed through her makeup. She regained her composure and stepped back behind the bench.

"Mr. Allen, I understood that you were in Europe on business. What do you have for us today?" she asked. Sherman cleared his throat and said in a loud commanding voice said, "Your Honor I have just filed a Motion with the Presiding Judge demanding your recusal from this case based upon certain evidence which gives the appearance of impartiality on your part involving the plaintiff and the plaintiff's Law Firm in this litigation." The Judge caught her breath and thought, "The appearance of impropriety?" "Well, Mr. Allen," she replied, "The issue is now before the Presiding Judge who I see is standing next to you. Judge Williams, what is your pleasure?"

The Presiding Judge's face was a stone mask of anger. Judge Catherine Letterman had been his personal protégée, he had sponsored her for numerous promotions and highly visibility assignments designed to assist her career path toward the Federal Bench. After two hours of listening to Sherman Allen that morning, he had decided to take matters into his own hands and confront Judge Catherine Letterman directly. In a quiet but firm voice, he said, "Judge I believe that we should retire to Chambers to discuss this matter further."

Turning to Grant Daniels, he said, "Mr. Daniels perhaps you would be so kind as to join us." Grant's face was ashen, he stuttered and mumbled, "Certainly your Honor," and followed the Judge, the Presiding Judge and Sherman into Judge Letterman's Chambers. One of the United States Marshals followed the

distinguished group into the Judge's Chambers, but not before posting the other U.S. Marshal at the door with directions not to be disturbed.

Judge Letterman turned and faced the Presiding Judge and said, "What is the meaning of all this?" "Catherine," said the Presiding Judge, "I have been provided with documentation which suggests that you and George Rubinstein traveled to Monte Carlo and opened a bank account in your name with an initial deposit of \$10 million. Further, I have been provided with documentation placing you and George at a Villa in St. Jean Cap Ferrat. On its face, the information is sufficient to support Mr. Allen's demand that you be recused from this litigation effective immediately. You, of course, have the right to challenge the motion; however, in my considered legal opinion your challenge would not survive much longer than a snowball in hell". The Presiding Judge paused to catch his breath, turned to Grant Daniels and said, "There are allegations that the \$10 million allegedly deposited into an account in the name of Judge Letterman in Monte Carlo were supplied by your Law Firm. Further, that your Senior Associate George Rubinstein and his Associate Edward Kessler were responsible for setting up and making the various cash account transfers." Judge Catherine Letterman was visibly startled by the mention of George's Associate Edward Kessler. George had assured her that only Grant Daniels and he were privy to the agreement.

Judge Letterman said, "I do not know anything about any \$10 million. I did come across Mr. George Rubinstein and Mr. Sherman Allen in Monte Carlo; however, I did not opened any account nor ..." she stopped abruptly as the door to her Chambers opened and Anthony, accompanied by Kessler and two additional U.S. Marshals, walked into the room. "Catherine," said the Presiding Judge, "Perhaps you should consider consulting with or seeking legal counsel before making any further statements."

The United States Marshal who had just entered the Judge's Chambers turned to Judge Letterman and said, "Are you Catherine Letterman?" "Yes", she said tentatively, leaning against the side of her desk as her knees started to give.

"You are under arrest for the homicide of a George Rubinstein. I would like for you to come with me to the United States Marshal's office on the 10th floor where you will be detained until a Federal Judge can be assigned to address the charges against you. We will provide you with an opportunity to contact counsel."

The other US Marshal asked, "Which one of you is Grant Daniels?" Grant was visibly trembling as he muttered incoherently, "I am Mr. Daniels." "You are under arrest on a charge of aiding and abetting the homicide of a George Rubinstein and will be transported to the Los Angeles jail facility wherein you will be held until a Los Angeles County Superior Court Judge can address the charges against you." The Marshals pulled out handcuffs and placed them on Judge Letterman's wrists. "Is this really necessary," she asked. "Yes Ma'am," said the Marshal.

The three Marshals escorted the Judge and Grant Daniels through the door to the Judge's Chambers and through an astonished group of attorneys who had never seen a Superior Court Judge in full judicial robes handcuffed, accompanied by one of the most prominent attorneys in Los Angeles, also in handcuffs, escorted out of a Courtroom. Judge Letterman's Bailiff, Clerks and Research Attorneys stood transfixed as they watched their boss, recently nominated to the United States Federal Court of Appeals by the President of the United States, being led from her Courtroom in handcuffs. Judge Letterman appeared to grow visibly older with each step she took. Her Bailiff, a 6 foot 4 inch 235-pound man, opened the Courtroom door for the Judge and the US Marshals with tears streaming down his eyes.

The Presiding Judge turned to Sherman and said, "This is going to be a horrible ordeal. The United States Marshal's office informs me that the French authorities have recovered George Rubinstein's body. It apparently washed up on the beach about 300 yards from the hotel cliffs. Catherine is going to have to do a lot of explaining, whatever happens, her judicial career is over." Sherman patted the Presiding Judge's shoulders and said, "It's going to turn on the

sufficiency of the evidence, George's laptop computer did not contain as much information as we had hoped; however, the transfer of over \$25 million out of the Firm's accounts is not going to be easy to explain. All of this could also mean the demise out of an old, powerful and highly respected Law Firm. But you know Judge; I don't feel a bit sorry for them."

Sherman turned to Anthony and said, "How about the three of us run over to the Pacific Dining Car and have a couple of drinks over a large rare prime rib?" "Let's go," said Anthony. The pair exited the Judge's Chambers followed by the Presiding Judge. On his way through the Courtroom, Sherman saw Linda with tears in her eyes, seeing the Judge in handcuffs, hearing the rumors of George's death and allegations that the Judge had accepted a bribe had destroyed the poor woman. He felt sorry for her, she was a very sweet person caught up in the arrogance, and greed and avarice of a Judge who had been elected to uphold the law and swore under oath to be impartial in the administration of justice. The good Judge Letterman would soon have firsthand knowledge of how justice was applied to violators of that trust.

Epilogue - Absence of Evidence

Anthony spotted Sherman's 44-foot yacht and made his way over the undulating planking and up the ladder to the main cabin of the yacht. "Anthony," said Sherman, "How about a nice cold beer?" "Great," he replied as he sat down beside Sherman. "You have not been to the office for several days, so I thought you might be up to something." "Anthony, you know me like a book. I have been thinking about the way things have turned out with the good Judge Letterman. The value of a good team of lawyers, the deference given to the holder of the high office of a Superior Court Judge and the value of deniability coupled with Black Letter law, which is designed to protect the innocent, do not always necessarily result in justice," said Sherman taking a sip from his beer.

"It's been three months and Judge Letterman is still denying being offered or accepting a bribe and is still trying to explain why she watched George

"accidentally" stumble off 100 foot cliff and why she decided not to report the incident to the local authorities or why she did not mention the event to anyone after she returned home." "Yes," said Anthony, "I have seen at least five Declarations under Penalty of Perjury signed by Judge Letterman denying that a bank account ever existed in Monte Carlo in her name and alternatively, if a bank account in her name allegedly existed, denying that she had anything to do with opening it. More importantly, denying that any of the monies in the account or any accounts in the Monte Carlo bank belonged to her. She was there on vacation with a traveling companion and George showed up unexpectedly for dinner, they walked to the cliff talked and he slipped and fell. I'm not too certain that her husband or his prominent family believe her story; however, for appearances sake, they are spending tens of thousands of dollars to give the good Judge the best legal criminal defense that money can buy."

"Fortunately for the good Judge, George did an excellent job of covering the money trail. The governments of Monaco and its Courts have not been very cooperative in disclosing the banking transactions between George and his South African Banks. His untimely death and the lack of evidence of the actual existence of the account at Bank of Venice and Trieste, Monaco, in Monte Carlo does not leave much hard evidence of the cash transfers. Kessler testified that George told him that all of the accounts used to move the money, especially the one in Monaco, were designed to be closed as soon as the funds were withdrawn.

Of course, Kessler's testimony is hearsay and is not much value as evidence. Our testimony that we transferred \$10 million out of her account the Bank of Venice and Trieste, Monaco into an account in your name using the PIN number on Exhibit A. The fact that it turned out to be the good Judge Letterman's California Bar number, to access her Bank of Venice and Trieste, Monaco account, without more, is not evidence that the money was actually hers or that it was intended as bribe money." "We know someone withdrew some money from the account, but without a check with her fingerprints or signature, we have nothing, muttered Anthony"

"My efforts to return the \$10 million to the Judge's account in the Bank of Venice and Trieste, Monaco in Monte Carlo were respectfully deflected. The President of the Bank of Venice and Trieste, Monaco has no record of an account in Judge Letterman's name or any evidence that such an account had ever existed. We have no actual physical or documentary evidence, other than the pictures I took, to prove she did anything illegal and those pictures do not show her pushing George off the cliff.

Kessler's and our testimony at best only raises an inference of wrongdoing. The good Judges story that George's visit was a surprise and his fall an accident is weak. Grant Daniel's and the Judge's denials of any knowledge of the existence or ownership of the \$10 million in our account, in the absence of evidence or proof of the existence of the alleged diamonds and alleged Bearer Bonds, will allow a good lawyer to negotiate an involuntary manslaughter plea or even get her off entirely," said Sherman taking another long sip from his beer.

Anthony frowned "In any event, we accomplished what we set out to do. The assignment of Judge Perez to the case has resulted in a Ruling in favor of our clients. Needless to say, our clients are elated; we get calls of congratulations every day. What you think it going to happen to Grant Daniels and his Law Firm?" "Well, Anthony," said Sherman, "I have been considering Grant Daniels and his Firm's involvement in this matter for the past few days. I was deposed by Grant and his attorneys regarding George's activities, the contents of his laptop computer. His attorney's main goal at the deposition was to throw dirt on Edward Kessler's testimony.

In the absence of any hard evidence, it will be difficult if not impossible to establish the source of the alleged \$25 million paid to the good Judge in Monte Carlo in the form of Bearer Bonds, diamonds and cash. I persuaded the District Attorney to allow me to sit in on their deposition of Grant Daniels. Grant swore up-and-down that no funds had been wired transferred out of any of his Law Firm's bank accounts to any place in Europe other than in the normal course of business and that no funds are missing. Grant Daniels has gone so far as to file

an Affidavit under Penalty of Perjury that *Peterson, Daniels, Rubinstein & Greene* has no claim on any of the monies in our account in Monte Carlo or to any alleged Bearer Bonds or diamonds."

"Did the French police ever recover any of the Bearer Bonds or diamonds?" asked Anthony. "No, apparently not. The French police have limited their investigation to the circumstances surrounding George's fall and have not paid too much attention to the allegations that he delivered diamonds and Bearer Bonds to the Judge. They are even less interested in the account in the Banque Paribas du Commerce in Monaco; the bank is outside of the French police's jurisdiction. The good Judge did not have any diamonds or bonds in her possession when she returned to the United States."

Anthony noticed that Sherman was smiling a little too much. Sherman started to laugh and said "Anthony, nobody wants to claim possession of the \$10 million in our account in Monte Carlo. The Judge and Grant have both filed documents under oath swearing that they do not have any interest in or title to any of the assets, which we have alleged, constitute the bribe between *Peterson, Daniels, Rubinstein & Greene* and the Judge." "Then, who do the funds belong to?" asked Anthony. "Apparently to anyone that will claim them," answered Sherman. Anthony stared at Sherman in astonishment as he grasped the legal and practical significance of what Sherman had been telling him. As always, Sherman's legal analysis was on point and the only conclusion possible under the factual circumstances. "That's a lot of money," said Anthony.

Sherman leaned over, put his arm around Anthony's shoulders, and whispered, "There's more. After I saw the Judge park George's car in the Grand Hotel Cap Ferrat parking lot, I followed her back down to her Villa. I watched her for a while through the hedge anticipating that she would call the police and report George's "accident". It became clear that she was not going to make the call and, as I started to leave, it appeared to me that she buried something near the barbecue pit and the hedges." "What do you think she buried? The diamonds?" said Anthony. "Absolutely," said Sherman. "I would bet that a

careful search of the Villa would also turn up the Bearer Bonds," replied Sherman with a smile.

"I spoke with one of the investigators for the French police in Nice who advise me that the Judge paid for the rental of the Villa through the end of September with 2,000 Euros cash before she left. The French investigators have made a cursory search of the Villa and located nothing. They have closed their files on George's unfortunate fall, in the absence of evidence to the contrary. The French police would not agree to search the Villa again without talking to Judge Letterman and, based upon their lack of access to the Judge, who is not likely to ever be seen in their jurisdiction, they have washed their hands of the entire matter. I've asked myself the question, why would she pay to hold the Villa empty for an additional two months if she did not intend to return?"

"No one is acknowledging the existence of or claiming ownership of the Bearer Bonds, the diamonds or the cash which we transferred out of the Judge's account," said Anthony. "Nobody wants the money." "I agree," said Sherman, "Nobody wants to be associated with or to be near the money because the claim itself would be evidence which could not be explained away."

Sherman opened another beer and said, "If anybody ever finds the diamonds or the Bearer Bonds, it will simply be treasure trove. Remember from Law School, a farmer digs up millions of dollars in gold coins as he is plowing his fields. It belongs to him. I have done a little legal research on the subject and aside from some tax consequences which may not apply to assets acquired as treasure trove outside of the United States; the funds belong to whoever finds them." "Amazing," said Anthony, "All that money and no one is interested in it."

"Anthony, we have a bank account in Monaco full of money which nobody wants," said Sherman taking a large swallow of beer. "For the past few days, sitting here alone on my boat, I have been thinking about taking my golf clubs and spending some time in the south of France. Specifically in St. Jean Cap Ferrat. There are a number of excellent golf club courses in Nice, Grasse, and Royal Menton outside of Cannes."

"Yesterday I booked the Judge's Villa for three weeks. How would you like to take a couple of weeks off from work, travel to the Cote d' Azure, play a little golf and perhaps do some treasure hunting? Who knows what we may find. I have been feeling very lucky lately. Do you think that your lovely wife would let you go to France again on such short notice?"

Anthony finally understood what he had been told about Sherman's "exploits" and Sherman's dreams of adventure. "I love to play golf, when do we leave?"

[About the Author](#)

Raul Aguilar has lived in the San Francisco Bay Area for over 35 years. A degree in Electrical Engineering lead to a career as an electronic analog design engineer for 10 years and ultimately inspired him to pursue a Juris Doctor Degree from the University of San Francisco. Admission to the U.S. Patent and Trademark Office diverted his interests, but ultimately fate led him to pursue a career as an Insurance Regulatory attorney

Raul has pursued writing short stories as a means to express his interests in travel, 13th Century European history and international relations. His travels have led him from San Francisco across all the major cities in America to London, Paris, Cote de Azur, Monaco, Germany, Italy, Rome, Spain, the Cayman Islands, the Caribbean, Mexico and South America. His writings reflect many of the places in cities visited by Raul and his lovely wife Diane.

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Escape from Darkness

Smashwords Edition

An emotionally crippled lawyer seeks personal redemption by protecting the lives of an engineer from the Veracruz jungles and a young waitress across the Cote d'Azur, the Costa del Sol and through the sands of the Anza-Borrego desert.

A crystal discovered in the rapids of the Rio Alseseca in the depths of the Veracruz jungles leads to the development of a revolutionary engine by a young engineer. Oil-rich interests seek to destroy the prototype engine and to kill the young engineer.

Sherman Allen is hired to protect the invention and is caught in the crossfire. Sherman Allen fights to overcome a debilitating emotional depression by protecting the young engineer's life.

Sherman Allen, the engineer and a young waitress struggled to demonstrate to the United States government the value of the young engineer's invention and secure the government's protection.

Their trail flows from the jungles of Veracruz through the Costa del Sol to a secret army test facility in the Anza-Borrego Desert along the United States Mexican border.
